



September 2012

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Ronald D. Long
Heating Contractor
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William H. Sullivan III
Air Conditioning Contractor
Greensboro, NC

Jeffrey R. Dunn
Fire Sprinkler Contractor
Dunn, NC

State Board of Examiners
of Plumbing, Heating, and
Fire Sprinkler Contractors

1109 Dresser Court
Raleigh, NC 27609
919-875-3612

www.nclicensing.org

State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors

CONTINUING EDUCATION UPDATE INSIDE

Steven K. Hensley Completes Term With Board



Steven K. "Steve" Hensley completed his term with the State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors on June 13, 2012,

Mr. Hensley was appointed by former Governor Mike Easley in 2005 and served seven years on the Board as the Fire Sprinkler Contractor representative.

During his term, Mr. Hensley held the offices of Vice-Chairman from April 2010-2011 and Chairman from April 2011-2012.

During his tenure the Board implemented Field Resolution Agreements, Disciplinary Education Programs, and the Residential Fire Sprinkler Installation Contractor License.

While serving in the roles of Vice-Chairman and

Chairman, Mr. Hensley led the agency through a complete upgrade of the Boards computer systems.

Mr. Hensley's knowledge and experience in the fire sprinkler trade, combined with his extensive business experience and leadership, were of great value to the Board and the industry.

The Board and the staff would like to express our gratitude to Mr. Hensley for his dedicated and distinguished service to the industry and the Board.

During his term, Mr. Hensley was the President of Associated Sprinkler in Greensboro.

Jeffrey R. Dunn Appointed By Governor Perdue



Jeffrey R. Dunn was appointed by Governor Beverly Perdue to a seven-year term with the State Board of Plumbing, Heating, and Fire Sprinkler Contractors on June 12, 2012.

Mr. Dunn will fill the Fire Sprinkler Contractor representative position vacated when Steve Hensley fulfilled his term on the Board.

Involved in the fire protection industry for the past 26 years, Mr. Dunn holds certification from the National Institute for Certification and Engineering Technology (NICET) as a Fire Protection Engineering Technician, Level III, in Automatic Sprinkler System Layout.

He has held a Fire Protection Contractors license in North Carolina since 2001, and is also licensed in South Carolina.

He currently serves as President of Carolina Fire Protection, Inc., a company that he started in 2002.

Mr. Dunn's board experience includes having served on the boards of his church, the local Chamber of Commerce, and the American Fire Sprinkler Association—Carolinas Chapter, where he served as President.

Mr. Dunn brings to the Board a vast knowledge and his years of experience in the fire sprinkler industry, combined with his business experience, will be of great benefit to the Board, its licensees, and the citizens of North Carolina.

William H. Sullivan III Appointed By Governor Perdue



William H. "Bill" Sullivan III was appointed as a member of the State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors by Governor Beverly Perdue on March 14, 2012.

Mr. Sullivan will fulfill the unexpired term of former Board member D. Jeffery Curtis as the Air Conditioning Contractor member.

The owner of Sullivan Mechanical, Inc., located in Greensboro, NC., Mr. Sullivan has been a licensee of the Board since 1968, and holds P-1, H1-1, H2, and H3-1 qualifications issued by the Board, and holds License 00003 which was originally issued to his grandfather on June 8, 1931.

Mr. Sullivan is a third-generation HVAC contractor and third-generation Board member.

His grandfather, William Sullivan Sr. served on the Board from 1931-1959, and as Chairman from 1943-1959. His father, William Sullivan Jr. served on the Board from 1959-1961.

Mr. Sullivan's vast knowledge and experience in the plumbing, heating and air conditioning industry will enable him to serve the Board and the industry well during his term.

Mr. Sullivan and his wife, Carolyn, recently celebrated their 50th wedding anniversary.

Birth Announcements

Congratulations to Licensing Coordinator DeJaya "DJ" Soltys and her husband, Steve Soltys. They are the proud parents of their first child, Zachary Michael Soltys. Zachary was born on November 7, 2011 at 7:11 pm, and weighed in at 7 lbs., 11 oz.

DJ was back at work soon afterwards on a limited schedule, and even worked weekends to ensure that all of the renewals received in the Board's office during renewal season were processed in a timely manner.

Congratulations to Administrative Officer Derek Farmer and his wife Ashley Farmer. They are the proud parents of a their first child, Owen Derek Farmer. Owen was born on March 26, 2012, and weighed in at 8 lbs., 11 oz.

Derek took a break from his field representative duties for a few weeks following Owen's birth in order to spend some time at home with his family.

Former Employee Passes

William "Will" Enecks, Administrative Officer (retired)

William Robert "Will" Enecks, retired Administrative Officer for the Board, passed away on April 22, 2012 in Greenville, NC.

Will was born in Palm Beach, Florida on July 23, 1949 to the late Parnell and Elizabeth Berryman Enecks and grew up in Charleston, South Carolina.

Will was a graduate of East Carolina University and was a Reserve Commissioned Officer in the United States Army. He began his career with the Board on July 10, 1981 and served as the Eastern Region Administrative Officer until his retirement in 2006. He was an avid outdoorsman, cyclist, golfer and was an accomplished woodworker.

Will was laid to rest on Wednesday April 25, 2012 at Pamlico Memorial Gardens in Washington, NC. He is survived by his wife Dell Enecks as well as several brothers and sisters.

Continuing Education Schedule July—December 2012

The Continuing Education Schedule for July-December 2012 was approved at the June 19, 2012 Business Meeting of the Board.

Although currently active licensees will not need to take the required hours this year to be eligible to renew for 2013, licensees who wish to submit a late renewal for 2010, 2011, and/or 2012 must still meet the continuing education requirement for those years before being eligible to reinstate the expired license to active status prior to December 31, 2012. Licensees may search for available classes by visiting our website and clicking on the C.E. Class Search button. Clicking on the Provider link will display the contact information for the class sponsor.

A number of continuing education providers have requested to cancel approved classes following the recent rule changes, which the Board has allowed; however, there are still a number of classes available for individuals who need or want to attend. If you locate a class (or classes) on the website that you are interested in attending, please call the provider to confirm that the class is being held on the date, time, and at the location published.

visit us online at www.nclicensing.org

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Repeal of Mandatory Continuing Education as a Condition of Annual License Renewal Effective December 31, 2012

On or about October 14, 2011, the Board unanimously voted to eliminate the rules that require mandatory continuing education as a condition of annual license renewal. In November of 2011, the Board submitted a set of proposed rules to the North Carolina Rules Review Commission, which included elimination of mandatory Continuing Education as a condition of annual license renewal. The proposed repeal of mandatory continuing education as a condition of annual license renewal was set to be effective on December 31, 2012.

During the review period, the North Carolina Rules Review Commission received at least ten (10) letters of objection to the proposed changes. This resulted in the proposed changes being sent to the North Carolina General Assembly (also referred to as the legislature) for their review and any action deemed necessary. We received information late on July 3, 2012, that the rules have been approved as submitted by the Board.

This means that mandatory continuing education as a condition of annual license renewal will no longer be required as of December 31, 2012. Licensees with a currently active license will be eligible to renew the license for 2013 without the mandatory continuing education requirement.

The Board is aware of the fact that many licensees have already completed the continuing education that would have been required for the 2013 renewal under the old rule. If the rules had been approved as submitted, without objection and the resulting delay, this would not have been an issue; however, the letters of objection delayed the approval process for a period of approximately six months, an action that was beyond the control of the Board. This resulted in much confusion and anxiety for many months, and many licensees attended the classes "just in case" the rule regarding continuing education did not change.

Licensees who are currently in expired status must comply with the rules in order to renew the license for 2010, 2011, and/or 2012, but will not be required to attend continuing education for the 2013 renewal. The continuing education class schedule for the remainder of 2012 is available on our website to assist licensees in locating classes and provider contact information.

From this point forward, active licensees will not be required to attend continuing education courses that have been approved by the Board as a condition of annual renewal. The Board strongly encourages all licensees to periodically attend continuing education classes in order to maintain and increase your knowledge within your respective trades. In order to assist our licensees in locating continuing education classes, beginning in January, 2013 our website will continue to list names, types of classes, and contact information of the providers who notify the Board staff that they will be offering continuing education classes.

The Board is currently creating a continuing education program for use as a disciplinary tool for any licensee whom a valid complaint is filed against. This is not a new practice, as a number of special classes have been used on a limited basis for many years. It is the position of the Board that the individual licensee should be responsible for keeping himself/herself educated and in touch with the latest business and trade practices. Licensees who fail to take this responsibility seriously are more likely to be the subject of complaints. The Board will ensure that those who are in need of continuing education as evidenced by the findings of the complaint investigation will be required to satisfactorily complete mandatory continuing education in order to keep their license in good standing.

The Board would like to take this opportunity to publicly express our appreciation to the providers and instructors that have developed and conducted continuing education classes over the past ten years.

Annual License Renewals

ALL licenses issued by the Board expire at midnight on December 31st of each year. There is no “grace period”.

All licenses must be renewed by December 31, 2012 in order to be active on January 1, 2013. If the license is not renewed by December 31st, all activities requiring a license (bidding, contracting, performing work) must cease until the license is renewed. Licensees who continue to conduct these activities with an expired license risk being disciplined by the Board for contracting without a license.

Failure to renew the license will also result in the inspection department refusing to issue a permit. Each year during January we receive dozens of calls from contractors unable to obtain permits for this reason. The work cannot begin until the renewal form and payment is received and processed, and the license is restored from expired status to active status.

Renewals not received by January 31st are also subject to a \$25.00 administrative late processing fee. Individuals wishing to renew licenses that expired on December 31, 2009 must do so by December 31, 2012. Following that date, the license is no longer eligible for renewal and the individual must re-apply to the Board and pass the required examination(s) in order to reinstate the license.

The Board is required to send a renewal notice via mail or e-mail to the last known address of every active licensee at least one month prior to the expiration date of the license (December 31).

The Board's current practice is to send a renewal invoice approximately October 1st, in order to provide licensees and the Board's staff additional time to process the thousands of renewals that are received each year. Sublicensees listed under a qualifying (master) licensee will not receive a notice, as their information is included on the master licensee's renewal notice.

Licensees are required to give notice of address changes to the Board within thirty (30) days. If licensees do not follow this rule, there is a high probability that the renewal notice (or any other mailing from the Board) will not be received by the licensee.

As in previous years, licensees will receive a renewal notice in the mail; however, this year it will look different than in years past. With continuing education no longer being required as a condition of renewal, all language concerning that has been removed. It has been replaced with information about our online renewal website. The form will contain instructions for online renewal, as well as your username and password. Please keep the username and password in a safe place, even if you do not plan to use it this year. It will allow you to renew your license in future years, to make changes to your address information, and to print a copy of your license at any time during the year.

It is the responsibility of each and every licensee to renew his/her license, even if a renewal notice is not received. If a renewal notice has not been received by October 31st, you have two options. You may visit the website at www.nclicensing.org, click on the “Download Forms” button on the left of the screen, and select and print the appropriate renewal form., or if you wish to renew online you may call our Licensing Coordinator at 919-875-3612, ext. 203 to obtain your username and password.

Forms must be submitted with payment, and payment must be submitted with forms. If a renewal form is received without payment, or if a payment is received without a form, it will not be processed. With over 12,000 licensees it is not practical or possible for the Board's office staff members to attempt to match up forms and payments that arrive separately on different days.

Residential Fire Sprinkler Installation Contractor Training Classes

During 2012 there were four Residential Fire Sprinkler Installation Classes scheduled in Asheville, Greensboro, Raleigh, and Charlotte. Due to significantly declining numbers of attendees in the first two classes, and especially in the third class, the Charlotte class was cancelled.

There will be two classes scheduled in 2013, with the dates and locations still to be determined. If interest for the classes increases in the future, additional classes will be scheduled to meet the demand. Class locations will be based on facility availability and the geographical location of the majority of those requests.

Trade Name Changes

Board Rules require that your license be listed in the name that you are conducting business in. Licenses are issued to individuals, but unless the individual is conducting business in his/her personal name the license must be listed in the name that is being used to conduct business. The business name must appear on all contracts, permits, invoices, and other business related documents. If you need to change your business name, you may have download and print a Trade Name Change form by visiting the Download Forms page on our website. If you have questions regarding your business name, please contact our office at 919-875-3612, ext. 203.

New Technician License Available December 31, 2012

Technicians allowed to supervise work on behalf of the qualifying licensee

The recently approved rules changes include the creation of several new technician licenses: Heating Group 1 Technician, Heating Group 2 Technician, Heating Group 3 Technician, Plumbing Technician, and Fuel Piping Technician.

This license will allow the technician to supervise work contracted by the firm, relieving the contractor licensee of the need to personally visit every job as is required by the current rules.

In order to obtain the technician license, an individual must submit an application to the Board. Applicants for plumbing or heating technician must verify 3,000 hours of full-time experience in the field being applied for. Applicants for fuel piping technician must verify 1,500 hours of full-time experience in fuel piping. Up to one-half the experience may be in academic or technical training in the field being applied for.

If the application is approved, the applicant will be allowed to take the same technical examination as is given for a contractor license which will also include questions pertaining to the Board's laws and rule; however, he/she will not be required to take the business exam required of a contractor.

An individual who holds a current plumbing or heating journeyman certificate from an Authority Having Jurisdiction in North Carolina will not be required to take the examination if application is received on or before December 31, 2012.

Upon passing the exam and payment of the license fee, the technician shall be a full-time employee of licensed contractor with the same group/class qualification. For example, a Heating Group 1 Technician must be a full-time employee of a licensed Heating Group 1 contractor. The exception to this is that a Fuel Piping Technician may be the full-time employee of Fuel Piping Contractor licensee or a Class A Gas Dealer pursuant to 21 NCAC 50 .0404(c).

A technician may upgrade the license to contractor status by taking the business exam.

Note: This is only a general summary of the rules regarding the technician license and is intended only to make licensees aware of the new licenses. Please refer to the recently approved and published rules beginning on Page 8 of this newsletter for the complete rules concerning this license.

Changes Coming to Newsletter Publishing and Distribution

You are reading the last newsletter that will be bulk-printed and mailed to every licensee. In the future, we will be making changes that will allow us to provide you with more information in a more timely manner, and more economically as we reduce the demand for paper and the costs of producing and mailing the newsletters.

The process of publishing and distributing an informative newsletter to approximately 15,000 licensees several times each year involves gathering all of the information to be included, organizing it in a logical manner and a format that is easy to read, creating the electronic document, contracting with a printing firm for printing, and contracting with a bulk mailing firm for address correction, pre-sorting, and bulk mailing. Due to this process, it is cost-prohibitive to publish more than one or two newsletters per year, which leads to another problem.

By limiting the number of newsletters, the information in them is often many months out of date when they finally reach the licensees. Often we must delay the publication date in order to include the latest information concerning laws and rules changes, code issues, and other time-sensitive information.

Beginning in October, 2012, we will begin publishing the newsletter bi-monthly, following each Board meeting. This will enable us to get the most current information to the licensees much quicker and will also make each publication smaller and less time-consuming to read, as we will only be including two months of information in each publication.

The newsletters will be posted on our website and available for viewing/downloading/printing twenty-four hours a day. A notification e-mail will be sent to all licensees that we have e-mail addresses in our records for when each new edition is posted.

We realize that there are licensees who do not own a computer and may not know anyone who does. Most local libraries have computers available for public use, and staff members who are willing to assist users who may not be familiar with viewing websites on the internet.

If you do not have any access to a computer, we will be glad to print a copy of the newsletter for you. Please send a letter to the following address stating that you would like to continue receiving a printed newsletter:

Newsletter Requests
State Board of Examiners
1109 Dresser Court

Important Telephone Numbers

North Carolina State Agencies

NC Department of Insurance	919-661-5880	NC Department of Labor	919-807-2796
• William "Bill" Moeller (Plumbing & Gas Interpretations)	Ext. 238	NC Department of Revenue	919-252-3052
• Dan Dittman (Mechanical & Energy Interpretations)	Ext. 237	NC Electrical Licensing Board	919-733-9042
• Richard Strickland (Fire) (Fire Code Interpretations)	Ext. 255	NC General Contractor Licensing Board	919-571-4183
• Judy McGee (Building Code Bookstore)	Ext. 240	NC Irrigation Contractors Licensing Board	919-872-2229
		NC Refrigeration Licensing Board	919-779-4711
		NC Secretary of State	919-807-2225

State Board of Examiners of Plumbing, Heating & Fire Sprinkler Contractors

Office Staff Directory

Office Phone: 919-875-3612
Office Fax: 919-875-3616

Dale Dawson

Executive Director
Extension 224 or ddawson@nclicensing.org

Eric Hall

Business & Technology Manager
Extension 216 or ehall@nclicensing.org

Dejaya (DJ) Soltys

Executive Assistant / Licensing Coordinator
Extension 203 or dsoltys@nclicensing.org

Sharon Pittman

Legal Coordinator
Extension 205 or spittman@nclicensing.org

Karen Jolliffe

Exam Coordinator
Extension 230 or kjolliffe@nclicensing.org

Hannah Whaley

Complaint Coordinator
Extension 211 or hwhaley@nclicensing.org

Erik Rogers

Receptionist / Continuing Education Coordinator
Extension 213 or ce@nclicensing.org

Administrative Officer (Field Staff) Directory

Fax for all Administrative Officers: 919-875-3616

John Todaro

Senior Administrative Officer
South Central Region
704-975-5305 or jtodaro@nclicensing.org

Moises "Jimmy" Jimenez

Southeastern Region
919-409-7127 or mjimenez@nclicensing.org

Tom Johnston

North Central Region
336-906-9141 or tjohnston@nclicensing.org

Derek Farmer

Northeastern Region
919-602-9095 or dfarmer@nclicensing.org

David Boulay

Western Region
828-234-2719 or dboulay@nclicensing.org

To view a regional map and listing of counties, please visit our website at www.nclicensing.org and click on the "Administrative Officers" button.

Website Information: www.nclicensing.org

While our office is open only during business hours, our website is available 24 hours a day, 7 days a week. Many tasks, such as obtaining information and forms, can be done at any time by simply visiting www.nclicensing.org and clicking on the appropriate button.

Consumer Forms

1. Consumer Complaint against licensed or unlicensed contractors

Change of Address or Status

1. Address Change: Licensee
2. Address Change: Sub-licensee
3. Trade Name Change (Licensee or firm name in which business is conducted)
4. Add Sub-licensee
5. Delete Sub-licensee

Continuing Education Forms *(will be removed 12/31/2012)*

1. Continuing Education Exemption Form (Age or Medical)
2. Continuing Education Exemption Form (Active-Duty Military only)
3. Continuing Education Request for Approval of Non-Approved Course
4. Continuing Education Provider Application and Handbook

Renewal Forms

1. Renewal Form - 2012 without Sub-Licensees (2013 available October 1, 2012)
2. Renewal Form - 2012 with Sub-Licensees (2013 available October 1, 2012)
3. Renewal Form - 2012 and Previous Year(s) without Sub-Licensees (2013 available October 1, 2012)
4. Renewal Form - 2012 and Previous Year(s) with Sub-Licensees (2013 available October 1, 2012)
5. Reinstatement Form—Previous Sub-licensees

New Applicant Forms

1. Plumbing, Heating, & Fuel Piping Contractor Examination Application
2. Plumbing, Heating, & Fuel Piping Technician Examination Application
3. Plumbing, Heating, & Fuel Piping Technician Application (Journeyman—available thru Dec. 31, 2012 only)
4. Residential Fire Sprinkler Installation Contractor Examination Application
5. Fire Sprinkler Installation & Inspection Contractor Examination Application
6. Fire Sprinkler Inspection Technician Examination Application (no NICET)
7. Fire Sprinkler Inspection Technician Application (NICET)
8. Fire Sprinkler Maintenance Technician Application

Order Forms

1. Books - Board's Laws & Rules and Business & Project Management for Contractors
2. Request for Copy (Reprint) of License
3. Request for Register of Licensees
4. Request for Verification of License

Did you know?

Electronic .pdf versions of all newsletters published since 2002 are available by visiting www.nclicensing.org and clicking on the "Newsletters" button.



You may also reach our website by using any one of these easy to remember addresses:

www.ncplumbing.org

www.ncheating.org

www.ncfiresprinkler.org

visit us online at www.nclicensing.org

Recent Rules Changes

A number of Rules were amended or repealed during 2012, with various effective dates. The following pages contain the rules that result in notable changes, including the establishment of a new technician license classification and the repeal of mandated continuing education as a requirement of license renewal. A complete listing and full texts of the current Board Rules is available by visiting the General Statutes page of our website and clicking on the Board Rules link.

SECTION .0300 – EXAMINATIONS

21 NCAC 50 .0301 QUALIFICATIONS DETERMINED BY EXAMINATION

(a) In order to determine the qualifications of an applicant, the Board shall provide an examination in writing or by computer in the following categories:

Plumbing Contracting, Class I
 Plumbing Contracting, Class II
 Heating, Group No. 1 - Contracting, Class I
 Heating, Group No. 1 - Contracting, Class II
 Heating, Group No. 2 - Contracting, Class I
 Heating, Group No. 3 - Contracting, Class I
 Heating, Group No. 3 - Contracting, Class II
 Fuel Piping Contractor
 Fire Sprinkler Inspection Technician
 Fire Sprinkler Installation Contractor
 Fire Sprinkler Inspection Contractor
 Limited Fire Sprinkler Maintenance Technician
 Residential Fire Sprinkler Installation Contractor
 Plumbing Technician
 Heating Group No. 1 Technician
 Heating Group No. 2 Technician
 Heating Group No. 3 Technician
 Fuel Piping Technician

(b) Each person being examined by the Board for a contractor license other than a Fire Sprinkler Installation or Inspection Contractor license shall be required to read, interpret and provide answers to both the business and law part and the technical part of the examination required by G.S. 87-21(b).

(c) Applicants for licensure as a fire sprinkler installation contractor, must submit evidence of current certification by the National Institute for Certification and Engineering Technology (NICET) for Water-based Fire Protection System Layout as the prerequisite for licensure. Current certification by NICET is in lieu of separate technical examination conducted by the Board. Applicants for licensure as a fire sprinkler installation contractor must take and pass the business and law part of the exam administered by the Board. Persons licensed based upon NICET certification must maintain such certification as a condition of license renewal.

(d) Applicants for licensure in the Fire Sprinkler Inspection Technician classification must pass the technical examination offered by the Board. The Board will accept the results of NICET examination resulting in Level II Certification in "Inspection and Testing of Water-based Systems" by NICET in lieu of the Board administered examination. Persons who obtain license as a Fire Sprinkler Inspection Technician based on NICET certification must maintain such certification as a condition of license renewal.

(e) Applicants for the Fire Sprinkler Inspection Contractor classification must submit evidence of Level III certification in "Inspection and Testing of Water-based Fire Systems" by NICET in lieu of technical examination. Contractors who obtain license by NICET certification must maintain such certification thereafter as a condition of license renewal. Applicants for licensure as a fire sprinkler inspection contractor must take and pass the business and law part of the examination administered by the Board in addition to demonstrating NICET certification as set out herein.

(f) Applicants for a license in the Limited Fire Sprinkler Maintenance Technician classification must obtain a license based on maintenance experience, education and job classification set forth in Rule .0306 and passage of a test administered by the Board.

(g) Applicants for a license as a Residential Fire Sprinkler Installation Contractor must obtain a license based on experience set forth in Rule .0306 and must take and pass the technical part of the Residential Fire Sprinkler Installation Contractor examination.

(h) Applicants for license as a Plumbing, Heating or Fuel Piping Technician must obtain a license based on experience set forth in Rule .0306 and must take and pass the Class I technical and Board laws and rules examination related to the category for which a technician license is sought.

(i) Applicants for plumbing, heating or fuel piping technician license who present a current plumbing or heating journeyman certificate obtained after examination from a local inspection department as defined in G.S. 143-151.8 in the same classification for which technician license is sought are not required to take the technical portion of the Board administered exam if application is made on or before December 31, 2012.

(j) Applicants who hold active Plumbing, Heating or Fuel Piping Technician license obtained by examination may obtain the Plumbing, Heating or Fuel Piping Contractor license in the same category by meeting the experience requirement listed in 21 NCAC 50 .0306(a) for the specific contractor license sought and passage of the business portion of the examination only.

History Note: Authority G.S. 87-18; 87-21(a); 87-21(b);
 Eff. February 1, 1976;
 Readopted Eff. September 29, 1977;
 Amended Eff. July 1, 1991; May 1, 1989; August 1, 1982;
 Temporary Amendment Eff. September 15, 1997;
 Amended Eff. March 1, 2005; January 1, 2004; July 1, 2003; August 1, 2002; July 1, 1998;
 Emergency Amendment Eff. December 5, 2005;
 Emergency Amendment Expired February 13, 2006;
 Amended Eff. July 3, 2012; January 1, 2010; May 1, 2006.

21 NCAC 50 .0306 APPLICATIONS: ISSUANCE OF LICENSE

- (a) All applicants for licensure or examination shall file an application in the Board office on a form provided by the Board.
- (b) Applicants for plumbing or heating examination shall present evidence at the time of application to establish two years of full-time experience in the installation, maintenance, service or repair of plumbing or heating systems related to the category for which a license is sought, whether or not a license was required for the work performed. Applicants for fuel piping examination shall present evidence at the time of application to establish one year of experience in the installation, maintenance, service or repair of fuel piping, whether or not a license was required for the work performed. Up to one-half the experience may be in academic or technical training related to the field of endeavor for which examination is requested. The Board shall prorate part-time work of less than 40 hours per week or part-time academic work of less than 15 semester or quarter hours.
- (c) The Board shall issue a license certificate bearing the license number assigned to the qualifying individual.
- (d) Fire Sprinkler Installation Contractors shall meet experience requirements in accordance with NICET examination criteria.
- (e) Applicants for examination or licensure in the Limited Fire Sprinkler Inspection Technician classification shall submit evidence adequate to establish that the applicant has either:
- (1) 4000 hours experience involved in inspection and testing of previously installed fire sprinkler systems, consistent with NFPA-25, as a full-time employee of a Fire Sprinkler Inspection Contractor or fire insurance underwriting organization;
 - (2) 4000 hours experience involved in inspection and testing of previously installed fire sprinkler systems, consistent with NFPA-25 as a full time employee of a hospital, manufacturing, government or university facility and under direct supervision of a Fire Sprinkler Inspection Contractor or a Fire Sprinkler Inspection Technician;
 - (3) 4000 hours experience involved in installation of fire sprinkler systems as a full-time employee of a Fire Sprinkler Installation Contractor; or
 - (4) a combination of 4000 hours experience in any of the categories listed in this Paragraph.
- (f) Applicants for licensure in the Fire Sprinkler Inspection Contractor classification shall meet experience requirements in accordance with NICET certification criteria.
- (g) Applicants for initial licensure in the Fire Sprinkler Maintenance Technician classification must submit evidence of 4000 hours experience at the place for which license is sought as a full-time maintenance employee in facility maintenance with exposure to periodic maintenance of fire protection systems as described in 21 NCAC 50. 0515 of this Chapter or 2000 hours of such experience, together with six hours classroom instruction in courses approved by the Board consisting entirely of training in fire system maintenance, repair and restoration to service. Applicants who have held Fire Sprinkler Maintenance Technician license previously at a different facility are not required to demonstrate experience in addition to the experience at the time of initial licensure but shall submit a new application for the new location at which they wish to be licensed.
- (h) Applicants for licensure in the Residential Fire Sprinkler Installation Contractor classification must hold an active Plumbing Class I or Class II Contractor license issued by this Board for a minimum of two years and must document attendance at a 16 hour course approved by the Board pursuant to the Rules in this Chapter covering NFPA 13D Multipurpose Residential Plumbing and Residential Fire Sprinkler Systems. Residential Fire sprinkler Installation Contractors must maintain Plumbing Contractor license as a condition of renewal of the Residential Fire sprinkler Installation Contractor license.
- (i) Applicants for license as a plumbing or heating technician shall present evidence adequate to establish 3,000 hours of full-time experience in the installation, maintenance, service or repair of plumbing or heating systems related to the category for which a technician license is sought, whether or not a license was required for the work performed. Applicants for license as a fuel piping technician shall present evidence adequate to establish 1,500 hours of experience in the installation, maintenance, service or repair of fuel piping, whether or not a license was required for the work performed. Up to one-half the experience may be in academic or technical training related to the field of endeavor for which examination is requested.

History Note: Authority G.S. 87-18; 87-21(b);
 Eff. February 1, 1976;
 Readopted Eff. September 29, 1977;
 Amended Eff. January 1, 2004; July 1, 2003; August 1, 2002; July 1, 1998; September 1, 1994;
 November 1, 1993; April 1, 1991; May 1, 1990;
 Temporary Amendment Eff. August 31, 2004;
 Amended Eff. July 3, 2012; January 1, 2010; June 1, 2006; March 1, 2005.

21 NCAC 50 .0505**GENERAL SUPERVISION AND STANDARD OF COMPETENCE**

- (a) The general supervision required by G.S. 87-26 is that degree of supervision which is necessary and sufficient to ensure that the contract is performed in a workmanlike manner and with the requisite skill and that the installation is made properly, safely and in accordance with applicable codes and rules. General supervision requires that review of the work done pursuant to the license be performed by a licensee of the firm while the work is in progress. If a Plumbing, Heating or Fuel Piping Contractor licensed by this Board employs a properly licensed Plumbing, Heating or Fuel Piping Technician, whose Technician license is listed under the name of that licensed contractor, then the licensed technician may review and supervise work in lieu of the licensed contractor as a means to assure that the contract is performed in a workmanlike manner and with the requisite skill and that the installation is made properly, safely and in accordance with applicable codes and rules.
- (b) The provisions of the North Carolina Building Code, including the provisions of codes and standards incorporated by reference, and adopted by the Building Code Council of North Carolina are the minimum standard of competence applicable to contractors licensed by the Board. Licensees shall design and install systems which meet or exceed the minimum standards of the North Carolina State Building Code, manufacturer's specifications and installation instructions and standards prevailing in the industry.
- (c) Work performed under Rule .0513, Rule .0514, and Rule .0515 shall be performed by the licensed technician pursuant to the license held by that person.
- (d) Every newly installed residential heating system, air conditioning system or both shall be designed and installed to maintain a maximum temperature differential of four degrees Fahrenheit room-to-room and floor-to-floor. On multilevel structures, contractors shall either provide a separate HVAC system for each floor or to install automatically controlled zoning equipment for each level with individual thermostats on each level to control the temperature for that level. The seasonal adjustment needed to maintain the four degrees Fahrenheit room-to-room and floor-to-floor maximum temperature differential shall not be accomplished through the use of manual dampers.
- (e) All licensed HVAC contractors or licensed technicians shall perform a room-by-room load calculation for all newly installed residential structures prior to installing heating systems, air conditioning systems, or both, which calculations shall be specific to the location and orientation where the HVAC system or equipment is to be installed. A written record of the system and equipment sizing information shall be provided to the homeowner, owner or general contractor upon request and a copy shall be maintained in the job file of the licensee for a minimum of six years. Load calculations shall be performed by a licensee who holds the appropriate license from this Board, or a licensee may utilize a load calculation carried out for this particular structure and location by a North Carolina Licensed Professional Engineer.
- (f) When either a furnace, condenser, package unit or air handler in an existing residential heating or air conditioning system is replaced, the licensed HVAC contractor or licensed technician is required to perform a minimum of a whole house block load calculation. When a furnace, condenser, package unit or air handler in a residential heating or air conditioning system is replaced, the licensee shall ensure that all systems and equipment are properly sized. The licensee may utilize industry standards, reference materials, evaluation of the structure, and load calculations. A written record of the system and equipment sizing information shall be provided to the homeowner, owner or general contractor upon request and a copy shall be maintained in the job file of the licensee for a minimum of six years. If a load calculation was not performed or if a load calculation was performed and it is later determined by the Board that the unit installed was undersized or oversized, the installation will be considered as evidence of incompetence. Load calculations shall be performed by a licensee who holds the appropriate license from this Board, or a licensee may utilize load calculations carried out for this particular structure and location by a North Carolina Licensed Professional Engineer.
- (g) A licensed plumbing contractor involved in installation or replacement of a well pump or pumping equipment which includes installation or reinstallation of a well seal shall be present on site until the well is disinfected and sealed.
- (h) At the time of completion of initial installation and upon any subsequent alteration, licensees who install multipurpose residential fire sprinkler systems shall assure that the two most remote fire sprinkler heads, as identified by the design professional who designed the system, undergo a water flow test at the water supply delivery volume and delivery pressure and assure that the system flows the required amount of water through each of the tested fire sprinkler heads. Failure to carry out the flow test or failure of a system to provide the required volume or water when placed in operation due to fire or otherwise shall be considered evidence of misconduct and incompetence on the part of the installing licensee.

21 NCAC 50 .1102**LICENSE FEES**

- (a) Except as set out in this Rule, the annual license fee for plumbing, heating and fuel piping contractor licenses by this Board is one hundred thirty dollars (\$130.00).
- (b) The annual license fee for a licensed individual who holds qualifications from the Code Officials Qualification Board, is employed full-time as a local government plumbing, heating or mechanical inspector and who is not actively employed or engaged in business requiring license from this Board is twenty-five dollars (\$25.00).
- (c) The initial application fee for license without examination conducted by the Board is thirty dollars (\$30.00).
- (d) The annual license fee for a contractor or fire sprinkler inspection technician whose qualifications are listed as the second or subsequent individual on the license of a corporation, partnership, or business with a trade name under Paragraphs (a) or (c) of this Rule is thirty dollars (\$30.00).

- (e) The annual license fee for fire sprinkler installation contractor and fire sprinkler inspection contractor licenses by this Board is one hundred thirty dollars (\$130.00).
- (f) The annual license fee for Fire Sprinkler Maintenance Technician is one hundred thirty dollars (\$130.00).
- (g) The annual license fee for Residential Fire Sprinkler Installation Contractor is one hundred thirty dollars (\$130.00).
- (h) The annual license fee for Fire Sprinkler Inspection Technician is one hundred thirty dollars (\$130.00).
- (i) The annual license fee for all Fuel Piping Technician license listed with a Class A Gas Dealer is one hundred thirty dollars (\$130.00).
- (j) The annual license fee for Plumbing, Heating or Fuel Piping Technician licensees listed under a licensed Plumbing, Heating or Fuel Piping Contractor is sixty five dollars (\$65.00).

History Note: Authority G.S. 87-18; 87-21; 87-22;

Eff. May 1, 1989;

Temporary Amendment Eff. November 17, 1989 for a period of 77 days to expire on February 1, 1990;

Amended Eff. November 1, 1994; July 1, 1991; March 1, 1990;

Temporary Amendment Eff. August 31, 2001; September 15, 1997;

Amended Eff. July 3, 2012; July 1, 2010; March 1, 2005; December 1, 2003; December 4, 2002.

SECTION .1400 – CONTINUING EDUCATION

21 NCAC 50 .1401 CONTINUING EDUCATION REQUIREMENTS

History Note: Authority G.S. 87-21(b)(3); 87-22;

Eff. April 1, 2001;

Amended Eff. January 1, 2010; May 1, 2006; January 1, 2004; April 1, 2003;

Repealed Eff. July 3, 2012.

21 NCAC 50 .1402 EXEMPTIONS AND CREDITS

21 NCAC 50 .1403 COMPUTATION OF CONTINUING EDUCATION HOURS

21 NCAC 50 .1404 COURSE REQUIREMENTS AND LIMITATIONS

21 NCAC 50 .1405 APPROVAL OF COURSES

History Note: Authority G.S. 87-2; 87-21(b)(3); 87-22;

Eff. April 1, 2001;

Amended Eff. January 1, 2010; June 1, 2006; May 1, 2006; April 1, 2003;

Repealed Eff. July 3, 2012.

21 NCAC 50 .1407 CERTIFICATION OF COURSE COMPLETION BY LICENSEES AND PROVIDERS

21 NCAC 50 .1408 ADVERTISEMENTS BY COURSE PROVIDERS OR INSTRUCTORS

21 NCAC 50 .1409 TERMINATION OF COURSE OR PROVIDER APPROVAL

21 NCAC 50 .1410 PETITIONS FOR REINSTATEMENT OF LICENSE

History Note: Authority G.S. 87-21(b)(3); 87-22;

Eff. April 1, 2001;

Amended Eff. April 1, 2003; March 15, 2003;

Repealed Eff. July 3, 2012.

Current Building Code Issues

In recent months, the Board has received numerous questions concerning two particular code requirements published in the Energy Conservation Code. In the interest of keeping licensees informed, this information is being included in this newsletter.

The Board does not issue code interpretations and is not at liberty to discuss these issues with contractors or homeowners. All questions regarding these or any other code requirements should be directed to the Department of Insurance (see Page 7 for contact information).

Duct Blast Testing

Per the North Carolina Energy Conversation Code, section 403.2, the Duct Blast Testing requirement can be performed by any of the following: the permit holder, a NC licensed General Contractor, a NC licensed HVAC contractor, a NC licensed Home Inspector, a registered design professional, a certified BPI Envelope Professional or a certified HERS rater.

The results of the duct testing shall be reported and documented on the permanent certificate that is posted in the house and the results of this testing should be made available to the local inspector, upon request.

Board Comments: Since this code requirement allows for individuals other than the NC licensed HVAC contractor to perform this testing, the Board will not hold the NC licensed HVAC contractor responsible for this code requirement if the actual test was performed by someone other than the licensed HVAC contractor or his employees.

It is suggested that the HVAC contractor discuss the duct blast testing requirement with the general contractor and/or property owner prior to contracting work to determine who will be responsible for the test, and that the HVAC contract contain a note regarding who the responsible party will be.

Programmable Thermostat

Per the North Carolina Energy Conversation Code, section 403.1.1, where the primary heating system is a forced-air furnace, at least one programmable thermostat per dwelling unit shall be capable of controlling the heating and cooling system on a daily schedule to maintain different temperature set points at different times of the day.

This thermostat shall include the capacity to set back or temporarily operate the system to maintain zone temperatures down to 55 degrees (F) or up to 85 degrees (F).

North Carolina Department of Insurance Comments: This requirement only applied to the installation of gas, oil, solid fuel and electric furnaces.

Heat pump installations do not require programmable thermostats, but are required to be installed per the North Carolina Energy Conversation Code, section 403.1.2, Heat pumps having supplementary electric-resistance heat shall have controls that, except during defrost, prevent supplemental heat operation when the heat pump compressor can meet the heating load. A hear strip outdoor temperatures lockout shall be provided to prevent supplemental heat operation in response to the thermostat being changed to a warmer setting. The lockout shall be set no lower than 35 degrees (F) and no higher than 40 degrees (F).

New Building Codes Effective in 2012

The Energy Conservation and Residential Codes became effective on January 1, 2012, while the Building, Fire, Fuel Gas, Mechanical, and Plumbing Codes became effective on June 2, 2012.

Effective July 1, 2012, all examinations given by the State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors are based on the 2012 codes. The new code books have been purchased by the Board and provided to the seven PSI testing centers located throughout the state for use by the examinees.

You may order code books directly from the International Code Council by visiting their website at www.iccsafe.org, or purchase books from the North Carolina Department of Insurance in Raleigh (walk-in customers only).

Effective September 1, 2012, the Fire Sprinkler Inspection Technician examination is now based on the 2011 Edition of NFPA Standard 25.

A number of other reference book used for the examinations have also changed recently. You may view/download/print the Exam Reference Book list by visiting the Exam Information page on our website and clicking on the Book Reference List link.

visit us online at www.nclicensing.org

2012 Apprentice Contests To Be Held At State Fair In October

HVAC/R Apprentice Contest

The 10th Annual North Carolina HVAC/R Apprentice Contest will be held on Friday, October 19, 2012 at the NC State Fairgrounds in Raleigh, NC, during the North Carolina State Fair.

The contest will be opened with a discussion by a representative of the NC Occupational Safety Department covering safety topics that are pertinent to the work that the apprentices will be performing during the contest. The apprentices will compete in a series of technical and trade skills stations that test the individual's abilities in brazing, electrical trouble shooting, air-flow measurement, refrigerant recovery, system operational analysis, customer interviews, and writing customer service reports. The contestants will also be required to complete a comprehensive written examination. The practical skills stations and written examination are modified from year to year to provide a variety of circumstances and questions to determine the level of knowledge and abilities of the apprentice.

The contest is open to all HVAC/R apprentices registered with the N.C. Department of Labor, Apprenticeship and Training Bureau and who will not have completed their apprenticeship prior to October 19, 2012. Each apprentice must be sponsored by a registered apprentice program or Apprenticeship Committee.

Apprentices who desire to compete must complete a contest application. For applications and additional information about the contest, contact the NC Department of Labor, Apprenticeship and Training Bureau in Raleigh, NC, by phone at (919) 733-7533 or visit the website at www.nclabor.com/appren/.

Cash prizes provided by the NC Department of Agriculture are awarded to the 1st through 10th place contestants. A wide variety of companies and organizations also share in sponsoring the contest by providing cash and other prizes that are distributed to the participants in the contest.

Plumber/Pipefitter Apprentice Contest

The 26th Annual North Carolina Plumber/Pipefitter Apprentice Contest will be held on Friday, October 19, 2012 at the NC State Fairgrounds in Raleigh, NC, during the North Carolina State Fair.

The contest will be opened with a discussion by a representative of the NC Occupational Safety Department covering safety topics that are pertinent to the work that the apprentices will be performing during the contest. The apprentices will compete in a series of technical and trade skills stations that test the individual's abilities in DWV system design, water distribution system design, code compliance and tool safety. The contestants will also be required to complete a comprehensive written examination. The practical skills stations and written examination are modified from year to year to provide a variety of circumstances and questions to determine the level of knowledge and abilities of the apprentice.

The contest is open to all Plumber/Pipefitter apprentices registered with the N.C. Department of Labor, Apprenticeship and Training Bureau and who will not have completed their apprenticeship prior to October 19, 2012. Each apprentice must be sponsored by a registered apprentice program or Apprenticeship Committee.

Apprentices who desire to compete must complete a contest application. For applications and additional information about the contest, contact the NC Department of Labor, Apprenticeship and Training Bureau in Raleigh, NC, by phone at (919) 733-7533 or visit the website at www.nclabor.com/appren/.



Board Celebrates 80th Anniversary: A Brief History

2011 marks the 80th year of service to the citizens of North Carolina by the Board. Established by the North Carolina Legislature in 1931, the Board issued License 001 on June 4, 1931. Since then, the Board has issued over 31,000 licenses to individuals, many with qualifications in multiple disciplines. In observance of the anniversary, this edition of the newsletter is a continuation of the September 2011 edition which contained the first half of the Board's history.

The Fifth Decade: 1972-1981

In 1972 the Watergate Scandal broke, 8-track tape players were the latest greatest technology in entertainment, HBO became the first subscription cable channel, and the space shuttle program was started. The unemployment rate was 5.6% and the average annual wages were \$1,850.00. The average home cost \$27,500.000, a new car could be purchased for \$6,400.00, and a gallon of gas was 36 cents.

Three new Board members were appointed to fill vacancies. They were H. Lee Coward (1975-1982), Wade Pyatt (1976-1983) and Dr. J.M. Fry (1979-1985).

The Sixth Decade: 1982-1991

In 1982, the first edition of USA Today was published, the Weather Channel brought 24/7 weather reports to our TVs, and Time Magazine named it's Man of the Year, which wasn't even human...it was The Computer.

In 1982, the unemployment rate was at 9.7%, the average annual wages were 21,050.00, the price of the average home was \$82,200.00, the average price of a new car was \$8,000.00, while a gallon of gas was 91 cents.

In January, 1991, the United States became involved in Operation Desert Storm as a result of Iraq's invasion of Kuwait.

During this decade, Board members were appointed which included Helen Thomas (1982-1989), Leroy Adams (1983-1990), E.T. Chanlett (1984-1990), Malachi Goforth (1985-1992), Brian Miller (1986-1993), W.M. Garrett (1987-1994) Dr. R.H. Kim (1988-1991), Stuart M. Shinn (1989-1996), John A. Ward (1990-1997), Ronnie J. Hahn (1990-1998) and David K. Lombardi (1991-1995). In 1986 Leroy Adams became Chairman until completing his term in 1990, when Brian Miller became Chairman until his term ended in 1993.

In the late 1980's, the Fire Sprinkler contractors approached the Board seeking the creation of a licensure system for fire sprinkler installation contractors. In 1991, the Fire Sprinkler license was established. As a result, a position of a fire sprinkler industry representative was added to the Board, bringing the Board membership to seven, as it remains today.

The Seventh Decade: 1992-2001

1992 saw the opening of the world's largest shopping mall, Minnesota's 78 acre Mall of the Americas. Hurricane Andrew devastated South Florida, and DNA "fingerprinting" was invented. Average prices were \$1.05 for gas, \$16,950.00 for a new car, and \$122,500.00 for a new home.

During this decade, the following Board members were appointed: Perry Davis (1992-1999), James G. Peace (1994-2001), Dr. Harmohindar Singh (1995-2002), Norman J. Whitaker (1996-2003) Ronald Long (1997-2004), Joseph Harrison (1998), Susan Lee (1999), Patricia A. Selby (1999), Alan G. Williams (2000-2007), and Thomas G. Proffit (2001-2008)

The 90's also marked the end of Board members serving as Chairmen for long periods of time, due to the seven-year appointment to terms by the Governor. Chairs during this time were W.M. Garrett (1993-1994), Ronnie J. Hahn (1995-1998), S. Christopher Williford (1998-2000), James G. Peace (2000-2001), and Norman J. Whitaker (2001-2003).

In 1993, Fred O. Bates stepped down after 29 years of service to the Board as Assistant Director from 1964-1967 and Executive Director from 1967-1983.

Thomas L. Phillips, who served as Assistant Director under Mr. Bates from 1987-1993 took over the job of Executive Director from 1993-1999.

Sandra O'Brien was appointed as Executive Director from 1999-2007. Veteran Board employee Bill Tomlinson was appointed as Assistant Director and served in that role from 2001 until his retirement in 2006.



History of the Board (continued)

The Eighth Decade: 2002-2011

2002 opened with people around the world, and especially Americans, still reeling from the reality of the September 11, 2001 terrorist attacks that resulted in airplanes crashing into the Twin Towers of the World Trade Center, the Pentagon, and a Pennsylvania farm field.

The attack affected the American economy and the American people for years, and is still doing so. It marked the beginning of the War on Terror, which has resulted in intense US military activity in two major wars.

Board members appointed during the most recent ten years include: Herbert Stanford III (2002-2006), Harold Jack Summey Jr. (2003-2010), Ronald M. Boone (2004-2011), Stephen K. Hensley (2005-2012), John N. Royal (2006-present), Wyatt Thomas Tucker Sr. (2007-1010), William Eubanks (2008-present), Jeffrey L. Curtis (2011), Ronald Long (2011-present), William Sullivan III (2012-present), and Jeffrey R. Dunn (2012-present).

Chairmen during this time were Joseph L. Harrison Jr. (2003-2005), Alan G. Williams (2005-2007), Thomas G. Proffit (2007-2008), Harold Jack Summey Jr. (2008-2010), Ronald M. Boone (2010-2011), Stephen K. Hensley (2011-2012), and the current Chairman, William Eubanks (2012-present).

In 2008, Dale L. Dawson was named as Executive Director of the Board, after serving since 1991 as an Administrative Officer, Senior Administrative Officer, and Assistant Director.

In recent years the Board members and staff have worked diligently to improve the efficiency and effectiveness of the Board, while striving to operate more economically. The streamlining of processes and procedures combined with the implementation of new technologies has allowed the Board to offer an improved level of service with a reduced number of employees.

Every Board member and employee is dedicated to providing exceptional customer service to the licensees, applicants, and citizens of our state. We are also committed to break the stereotype of oversized and inefficient government agencies by operating the organization using sound business practices.

As we look forward to the next decade, we will continue to work towards maintaining the integrity of the plumbing, HVAC, fuel piping, and fire sprinkler industries by serving our licensees, thoroughly investigating complaints, and eliminating unlicensed individuals from actively working in the trades.

ANNUAL LICENSE ISSUANCE: 1972—2011

Below is a listing of the number of licenses issued each year through from 1972 through 2011, as well as the license numbers that were issued in a particular year.

Year of Issue	Total Licenses	License Numbers
1972.....	803.....	4427- 5230
1973.....	1182.....	5231- 6413
1974.....	318.....	6414- 6732
1975.....	356.....	6733- 7089
1976.....	374.....	7090- 7464
1977.....	445.....	7465- 7910
1978.....	445.....	7911- 8356
1979.....	540.....	8357- 8897
1980.....	500.....	8898- 9398
1981.....	522.....	9399- 9921
1982.....	446.....	9922-10368
1983.....	492.....	10369-10861
1984.....	516.....	10862-11378
1985.....	639.....	11379-12018
1986.....	802.....	12019-12821
1987.....	599.....	12822-13481
1988.....	853.....	13482-14335
1989.....	812.....	14336-15148
1990.....	797.....	15149-15946
1991.....	632.....	15947-16579
1992.....	756.....	16580-17336
1993.....	654.....	17337-17991
1994.....	706.....	17992-18698
1995.....	578.....	18699-19277
1996.....	651.....	19278-19929
1997.....	910.....	19930-20840
1998.....	1570.....	20841-22411
1999.....	881.....	22412-23293
2000.....	397.....	23294-23691
2001.....	301.....	23692-23993
2002.....	393.....	23994-24387
2003.....	1013.....	24388-25404
2004.....	1675.....	25405-27080
2005.....	1306.....	27081-28387
2006.....	497.....	28388-28885
2007.....	480.....	28886-29366
2008.....	486.....	29367-29853
2009.....	509.....	29854-30363
2010.....	433.....	30364-30797
2011.....	511.....	30798-31309

Between 1972 and 2011, a total of 24,895 licenses were issued.

As of June 30, 2012 the Board has issued 31,521 licenses during the 81 years of operation. As of that date, there were a total of 11,868 active licensees and 2,345 expired licenses eligible for reinstatement.

Letter of Caution Report

Upon completion of investigations, a Letter of Caution can be issued to a licensee where it is determined through an investigation that a violation has occurred by one of our licensees. The Letter of Caution is issued to address and affirm issues they should improve upon or be more mindful of for future jobs:

Name	City/Town	Date	Name	City/Town	Date
Booker, Patrick S.	Princeton, NC	04/04/2011	Muhonen, John M.	Hickory, NC	04/07/2011
Carroll, Jimmy R.	Holly Springs, NC	05/10/2011	Potts, Randall D.	Thomasville, NC	05/10/2011
Dupree, Charles L.	Angier, NC	04/17/2012	Sales, Roger E.	Asheville, NC	01/16/2012
Farmer, Paul B.	Elm City, NC	03/21/2011	Spikes, Henry R.	Clayton, NC	06/23/2011
Kelly, Richard W.	Southport, NC	05/06/2011	Therrien, Scott C.	Raleigh, NC	04/19/2012
Mills, David L.	Nash Head, NC	10/04/2011			

Permit Warning Report

A Permit Warning Letter may be issued to a licensee who has been found to have performed work without a permit having been issued prior to commencing work. Section .0402(a) of the Board Laws and Rules book states in part that "A licensed contractor shall ensure that a permit is obtained from the local Code Enforcement Official before commencing any work for which a license is required by the board." If you have questions as to when a license is required, please feel free to contact any of our administrative offices. If it is found that multiple jobs have been performed without first obtaining permits, the Board may take additional disciplinary action against the individual and the firm. The following individuals were issued permit warning letters for failure to ensure a permit was obtained prior to commencing work that requires a license:

Name	City/Town	Date	Name	City/Town	Date
Arnette, Herman M.	Dover, NC	06/21/2011	Johnson, Jimmy D.	Almond, NC	03/21/2012
Ballard, Brandon M.	Norwood, NC	06/02/2011	Jones, George L.	Greensboro, NC	07/07/2011
Bartlett, Dewey H.	Asheville, NC	05/19/2011	Mansfield, Perry J.	Southport, NC	05/11/2011
Bedard, Benjamin M.	Indian Trail, NC	06/22/2011	Maryland, Solomon W.	Rocky Mount, NC	06/16/2011
Black, Roland D.	Oak Island, NC	09/14/2011	Matthews, Robert C., Jr.	Garner, NC	04/29/2011
Bollinger, Philip G.	Kings Mountain	06/08/2011	McGayhey, Sean P.	Greensboro, NC	09/22/2011
Brooks, Samuel E.	Morehead City	06/21/2011	Melvin, Donald G., II	White Lake, NC	08/30/2011
Brown, Randy S.	Indian Trail, NC	06/30/2011	Morton, Terry W., Jr.	Kannapolis, NC	05/05/2011
Bull, Robert A.	Melbourne, FL	01/17/2012	Murphy, Morris M.	Charlotte, NC	05/17/2011
Bynum, Thomas J.	Belmont, NC	03/16/2011	New, Christopher L.	Stella, NC	06/21/2011
Camden, Paul D.	Fuquay Varina, NC	04/29/2011	Osborne, Floyd E.	Wilmington, NC	05/13/2011
Carr, Theodore R., III	Morven, NC	05/25/2011	Parker, Ronnie D.	Lincolnton, NC	03/14/2012
Cavin, Thomas E.	Kannapolis, NC	09/06/2011	Polity, Bruce R.	Wilmington, NC	04/07/2011
Chapman, Keith B.	Greensboro, NC	09/09/2011	Pringle, Phillip G.	Newton, NC	08/10/2011
Chilton, Bradley D.	Mocksville, NC	02/08/2011	Radford, William J.	Clayton, NC	04/27/2011
Collins, Stephen A.	Wilmington, NC	07/06/2011	Riddle, Randy T.	Grimesland, NC	10/04/2011
Daniels, Luther H.	Manteo, NC	06/07/2011	Rider, Stephen C.	Charlotte, NC	08/09/2011
DeRose, Patrick J.	Pineville, NC	05/17/2011	Russell, Gerald R.	Greensboro, NC	03/07/2011
Doyle, Walter E., Jr.	New Bern, NC	08/03/2011	Sales, Roger E.	Asheville, NC	01/16/2012
Evans, Kenneth W.	Zebulon, NC	08/18/2011	Sechrist, Dennis W.	Mount Airy, NC	03/08/2011
Faries, Paul J.	Pilot Mountain, NC	08/18/2011	Shelton, Scott M.	Charlotte, NC	02/24/2011
Flynn, Michael J.	Mebane, NC	03/15/2011	Skipper, Kenneth R.	Whiteville, NC	08/02/2011
Fraday, Earl R.	Gastonia, NC	08/04/2011	Snyder, David L.	Hickory, NC	06/28/2011
Garrison, Kermit A.	Hickory, NC	06/28/2011	Spivey, Carnell	Windsor, NC	04/25/2011
Gitel, Dmitriy	Charlotte, NC	02/23/2011	Stapleton, Charles E.	Concord, NC	05/03/2011
Guthrie, Lee M.	Harbinger, NC	11/16/2011	Stephenson, Adrian J.	Raleigh, NC	07/01/2011
Hawkins, Gerald K.	Brevard, NC	03/19/2012	Vaughan, Randy J.	Mount Airy, NC	05/24/2011
Hinshaw, Vernon	Sophia, NC	02/18/2011	Walton, Richard C.	Charlotte, NC	03/20/2012
Hinshaw, Paul V.	Randleman, NC	05/25/2011	White, Joe E.	Youngsville, NC	05/12/2011
Holley, Timothy O.	Roseboro, NC	08/01/2011	Worrell, Troy A.	Durham, NC	05/18/2011

Consent Agreement Report

A Consent Agreement is an affidavit taken from unlicensed individuals performing plumbing, heating and fire sprinkler work without a license. These individuals sign a Consent Agreement stating that they will not perform any work requiring a license until they are properly licensed to do so. If you see these individuals performing contracting activities in the field, please report them to this office.

Name	City/Town	Date	Name	City/Town	Date
Ainsworth, Wade C.	Cartersville, GA	05/09/2011	Johnson, John C.	Greensboro, NC	06/29/2011
Bell, Richard L.	Corolla, NC	10/05/2011	Johnston, Rodney A.	Midland, NC	06/06/2011
Belt, Charles	Benson, NC	06/30/2011	Jones, Allen E.	Brevard, NC	07/29/2011
Bennett, Tony R.	Rocky Mount, NC	09/06/2011	Jones, L.C., Jr.	Franklin, NC	06/02/2011
Bishop, Kent S.	Wilmington, NC	03/03/2011	Knight, Turan R.	Tarboro, NC	03/16/2011
Blake, Thomas P.	Garner, NC	01/18/2012	Knudsen, Daniel E.	Raleigh, NC	05/23/2011
Bowman, David R.	Virginia Beach, VA	04/30/2010	Leake, Robert E., Jr.	Canton, NC	09/12/2011
Boykin, Manly A.	Hope Mills, NC	05/05/2011	Lettelier, Earl E., III	Landrum, SC	06/29/2011
Britt, Kenneth D.	Hope Mills, NC	03/23/2011	Maines, Joshua J.	Winston Salem, NC	04/05/2011
Budd, Vernando C.	Charlotte, NC	08/05/2011	Martin, Tony P.	Rockingham, NC	02/18/2011
Burgner, David A.	Hillsborough, NC	03/17/2011	McLamb, Ronnie D.	Raleigh, NC	10/14/2011
Butts, Ronnel A.	Goldsboro, NC	07/07/2011	Mejia, Allan A.	Zebulon, NC	02/25/2011
Butts, Willie H.	Goldsboro, NC	07/07/2011	Melton, Terry J.	Asheville, NC	03/31/2011
Buzzell, Jeffrey B.	Elon, NC	11/07/2011	Moore, Timothy L.	Benson, NC	04/05/2011
Carlile, Fred L., II	Thomasville, NC	07/14/2011	Morgan, Charlie B.	Supply, NC	05/11/2011
Carroth, Michael C.	Landrum, SC	02/02/2012	Nunez, Marlon G.	Charlotte, NC	05/26/2011
Cave, Billy J.	Lowgap, NC	08/19/2011	Parker, Richard M.	Benson, NC	07/07/2011
Chaisson, Scott	Raleigh, NC	05/09/2011	Parks, Jason L.	Asheboro, NC	05/10/2011
Cheeks, Shedrick B.	Fayetteville, NC	05/05/2011	Perkins, Mark B.	Charlotte, NC	04/07/2011
Chilton, Randall W.	Danville, VA	04/20/2011	Pohl, James D.	Saluda, NC	06/27/2011
Clark, Gerrid B.	Conway, SC	05/11/2011	Porter, Anthony V.	Fayetteville, NC	02/01/2012
Clarke, Bryan P.	Mooresville, NC	07/07/2011	Potter, William J.	Durham, NC	05/24/2011
Coffey, Melvin	Charlotte, NC	02/04/2011	Oji, Gordon O.	Asheville, NC	07/19/2011
Courchine, Everett R.	Yadkinville, NC	02/08/2011	Rains, William A.	Princeton, NC	04/04/2011
Crawford, J. Travis	Charlotte, NC	02/22/2011	Reeves, James S., II	Atlantic Beach, NC	04/20/2011
Cress, James D., Jr.	Sophia, NC	05/03/2011	Romero-Villamil, Efren	Matthews, NC	03/14/2011
Davis, Richard	Williamston, NC	03/23/2011	Russell, Gregory	Asheboro, NC	05/04/2011
East, Timmy W.	Walnut Cove, NC	03/14/2011	Saychay, Phonephilom	Kannapolis, NC	03/22/2012
Eddinger, Cheryl C.	Thomasville, NC	11/04/2011	Scott, Gary, Jr.	Tarboro, NC	05/12/2011
Edwards, Jeffrey M.	Creedmor, NC	05/25/2011	Sergent, Mark T.	Concord, NC	10/18/2011
Evitts, Brian K.	Raleigh, NC	10/20/2011	Sizemore, Brian M.	Winston-Salem, NC	09/26/2011
Figueroa, Javier	Greensboro, NC	01/27/2012	Smith, Paul D.	Randleman, NC	03/15/2011
Flowers, Braxton R.	Winston-Salem, NC	06/06/2011	Smith, Randy D.	Saluda, NC	06/27/2011
Frye, James C.	Newland, NC	03/29/2011	Smith, Thomas H., Jr.	Yadkinville, NC	04/05/2011
Fulford, Bennie G.	Wilson, NC	01/04/2011	Smith, William N.	Asheville, NC	07/27/2011
Furr, Robert S., Jr.	Charlotte, NC	03/30/2011	Snyder, Dean R.	Wrightsville Beach, NC	08/31/2011
Gatswirth, Robert G.	Wilmington, NC	01/30/2012	Sorrells, Alan	Clyde, NC	07/22/2011
Giangiuli, Joseph A.	W. Middlesex, PA	05/26/2011	Stapivic, Jean A.	Monroe, NC	05/27/2011
Giattino, Christopher M.	Hillsborough, NC	06/27/2011	Starnes, Scott E.	Claremont, NC	09/28/2011
Goiz, Consepcion M.	Winston Salem, NC	07/26/2011	Sullivan, Benjamin P.	Pikeville, NC	07/07/2011
Goodman, Paul T.	Mount Pleasant, NC	05/03/2011	Tanner, Joseph L.	Gastonia, NC	06/07/2011
Gould, Shawn P.	Zebulon, NC	08/18/2011	Taylor, Randall W.	Gastonia, NC	03/15/2011
Graham, Antonio	Fair Bluff, NC	05/11/2011	Teater, Clarence S.	Raleigh, NC	03/08/2011
Guerra, Tyrone J.	Durham, NC	05/24/2011	Thompson, Matthew	Charlotte, NC	02/21/2011
Haley, Ryan	Rocky Mount, NC	08/12/2011	Thomson, Kevin	Columbus, NC	07/26/2011
Hammond, James M.	Dunn, NC	05/24/2011	Velasco, Abe	Raleigh, NC	03/29/2011
Handy, Justin B.	Hookerton, NC	08/03/2011	Vogel, JoAo R.	Charlotte, NC	07/06/2011
Harris, William	Louisburg, NC	04/18/2011	Waterson, Jessie	Lincolnton, NC	01/31/2012
Hensley, David D.	Woodleaf, NC	05/18/2011	Welch, Joseph R.	Denton, NC	03/08/2011
Hinton, Larry D.	Raleigh, NC	05/26/2011	Wilkerson, Edward D.	Franklinton, NC	05/02/2011
Hix, Jonathan P.	Concord, NC	05/05/2011	Williams, John H.	Fayetteville, NC	03/23/2011
Huelle, Robert P.	Durham, NC	03/10/2011	Willis, Charles M., Jr.	Williston, NC	04/21/2011
Imlay, Andrew D.	Durham, NC	05/24/2011	Wilson, William J.	Waxhaw, NC	05/12/2011
Isales, Raymond	Mooresville, NC	01/31/2012	Young, Paul J.	Banner Elk, NC	08/08/2011

Field Resolution Agreements and Resolution Review Committee Agreements

A Field Resolution Agreement is a voluntary agreement by which a licensee enters into some type of sanctions against their license instead of appearing before the Resolution Review Committee or the Full Board at a formal hearing. All of the Agreements are reviewed by a member of the Resolution Review Committee and then presented to a Board hearing panel for approval prior to the agreement being adopted as a final agency decision. If a complaint has not been resolved in the field through a Field Resolution Agreement, then the case can be referred to the Resolution Review Committee. During the Resolution Review Committee meeting, a licensee can enter into a Review Committee Resolution Agreement in place of appearing before the Board at a formal hearing; the agreement is then presented to a Board hearing panel for approval prior to the agreement being adopted as a final agency decision. Cases that cannot be resolved through the use of Field Resolution Agreements or Review Committee Resolution Agreements are forwarded to formal hearings before the Board. Listed below are the different agreements entered into by the field staff and the Resolution Review Committee that have been approved by the Board. The information below does not contain all of the facts or details of each case. Specific details of any of the following cases can be obtained by e-mail (information@nclicensing.org) or upon written request to the Board's office.

Abling, Jason
A & A Heating & Air
Murphy, NC
License# 21575, H-3-I

Allegations of misconduct and selling license in the business of heating contracting in that the licensee obtained a permit and allowed his license number to appear on a permit on a job where the licensee did not hold the contract with the homeowner or general contractor, did not properly supervise the job, did not perform the installation, did not receive the contractual payment for the job, and allowed the use of his license by unlicensed persons.

Resolution Conference held 10/24/2011.

Jason Abling signed a Resolution Conference Agreement 10/24/2011.

The license of Jason Abling, number 21575 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Adams, Charles Thomas
ABC Heating & Cooling, Inc.
Huntersville, NC
License# 10757 H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide supervision, failed to carry out adequate ductwork installation and system design, violated the minimum standard of the North Carolina State Mechanical Code, failed to respond to consumer in a timely manner, abandoned the job, and failed to request inspections within 10 days of substantial completion of work.

Resolution Conference held 10/27/2011.

Charles Thomas Adams & legal counsel did not appear.

Review Committee made the following findings and recommendation: (1) That a 2nd Resolution Review Conference Notice was served on Charles Thomas Adams, who resides in Florida, through his legal counsel, at the address of 3758 Hwy 16 North in Denver, NC by certified mail and received on October 6, 2011; (2) that a 2nd Resolution Review Conference Notice was also hand delivered to his legal counsel at the same address; although duly served with the Invitation Letter, Mr. Charles Thomas Adams and/or his legal counsel failed to appear at the Resolution Conference held on October 27, 2011. Therefore, the license of Charles Thomas Adams, number 10757 H-3-I, shall be permanently revoked.

-Resolution Conference results dated 11/08/2011 hand delivered to legal counsel 11/10/2011

-Copy of the Resolution Conference results sent certified mail to respondent's the last known address in Charlotte, NC 11/28/2011.

Alexander, Harold D.
Young & Alexander, Inc.
Rutherfordton, NC
License# 04334 , H-3-I

Allegations of misconduct in the business of heating contracting in that the license contracted to perform the installation of new heat pumps for low income homeowners in Polk, Rutherford, Cleveland and McDowell Counties but failed to pull the required permit(s) and/or have the units inspected as required by 21 NCAC Section .0402, and failed to maintain a written record of the system and equipment sizing in the job file in violation of 21 NCAC 50.0505(f).

Harold Alexander signed a Proposed Resolution Agreement 11/09/2011.

Review Committee approved 12/06/2011.

The license of Harold D. Alexander, number 04334 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the

probation. By 12/08/2011, the licensee agreed to return to the homes listed at 397 Harmon Rd., 128 Bush Court, and 422 Coopers town Rd. and perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection. The contractor shall submit evidence to the board by 12/15/2011 of any permits, final inspections and shall submit a copy of his load calculations. The open permits listed above must be closed out by December 15, 2011. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Arnette, Herman McCuiston
Dover, NC
License# 05997, PH-3-I

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to obtain a permit for the installation of sewer drain lines and transitions from private septic systems to the municipal sewer system, and he failed to obtain final inspections within ten (10) days of substantial completion of the work.

Herman Arnette signed a Proposed Resolution Agreement 06/21/2011.

Herman Arnette, license number 05997 PH-3-I, voluntarily surrendered his license to the Board. As a result of surrendering his license to the Board, the license will be revoked. If Mr. Arnette wishes to re-establish his license, he will be required to answer to the charges in the specific complaints and he may have to reexamine per the General Statutes Chapter 87, Article 2.

Bare, Robert Christopher
Bare Tech Plumbing, Inc.
Greensboro, NC
License# 17371, P-I

Allegations of misconduct and incompetence in the business of plumbing contracting in that the license failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide adequate supervision, and violated the minimum standard of the North Carolina State Plumbing Code.

Resolution Conference held 01/17/2012.

Robert Bare signed a Resolution Conference Agreement 01/17/2012.

The license of Robert Bare, number 17371 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Barrett, Alan Derek
Carolina Energies, Inc.
Shelby, NC
License# 29476, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the license failed to provide adequate supervision, and violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 01/18/2012.

Alan Barrett signed a Resolution Conference Agreement 01/18/2012.

The license of Alan Derek Barrett, number 29476 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Bartlett, Dewey
Dewey H. Bartlett Plumbing Co.
Asheville, NC
License# 07281, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to pull the required permit which is a violation of GS 87-21 Section .0402, and violated the State Plumbing Code in that the licensee failed to properly support the plumbing supply lines, failed to properly cap off the drain, waste and vent lines, failed to properly

insulate the plumbing supply line, and the pressure of the home is unknown and may exceed the plumbing supply line limit before pressure reducing valve.

Dewey Bartlett signed a Proposed Resolution Agreement on 05/19/2011.

The license of Dewey Bartlett, number 07281 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probationary period, Mr. Bartlett agreed to return to the home at 21 Impala Trail by May 26th, 2011, and correct any and all code violations that still exist, contact the homeowner in advance and arrange a time to perform this work, prior to commencing any work, obtain a permit from the local code enforcement official and receive a final inspection by June 3rd, 2011. Prior to the end of the probation period Mr. Bartlett must enroll in and attend the Special Board Laws & Rules course. After compliant to the Board, Mr. Bartlett pulled permit number 11 00132 on 5/19/2011, and it passed inspection on 5/24/2011. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

Beatty, John
John Alfred Mechanical
Cary, NC

License# 14580, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee violated the State Mechanical Code, and licensee acknowledged obtaining a permit prior to commencing work for the installation of a HVAC system but no record of such permit exists with the Town of Cary Inspections Department.

John A. Beatty signed a Proposed Resolution Agreement 10/18/11.

Review Committee approved 11/10/2011.

John A. Beatty voluntarily agreed to surrender his license, number 14580 H-I. The act of surrendering his license will be recorded as a license revocation. In the event the licensee wishes to re-establish his license, he will have to answer to the charges in this specific complaint(s) and possibly reexamine for the license per General Statutes Chapter 87, Article 2.

Bedard, Benjamin
Bedard Cooing & Heating, Inc.
Indian Trail, NC
License# 30793, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to obtain a permit prior to commencing work, and contracted heating group 2 work

without valid license qualifications.

Benjamin Bedard signed a Proposed Resolution Agreement 06/22/2011.

The license of Benjamin Bedard, number 30793 H-3-I, shall be placed on unsupervised probation for a period of six (6) months. Among other things during the probation, Mr. Bedard must enroll in and attend the Special Board Laws & Rules course by the end of the probationary period. In the event the licensee violates the conditions of probation, his license will be suspended for a period of two (2) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Bell, James Ronald
Ronnie's Electric & Plumbing
Tabor City, NC
License# 6161 PH-3-I

Allegations of misconduct, incompetence, and selling his license in that the licensee failed to obtain permit(s) prior to commencing work, failed to provide adequate supervision, violated the minimum standard of the North Carolina State Mechanical Code, failed to perform load calculations, and allowed the use of license on two different jobs by an unlicensed persons.

Resolution Conference held 07/21/2011.

James Bell signed Resolution Conference Agreement 07/21/2011.

The license of James Bell, number 6161 PH-3-I, and the license of the firm shall be suspended for a period of six (6) months. Upon successful completion of the suspension, his license, number 6161 PH-3-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months. Among other things during the probation, Mr. Bell must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of twelve (12) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Bell, Kevin M.
Bell's Supply HVAC
Oak Island, NC
License# 13088, H2&3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to perform proper load calculations, failed to carry out adequate ductwork installation and system design, violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 10/05/2011.

Kevin Bell signed a Resolution Conference Agreement 10/05/2011.

The license of Kevin M. Bell, number 13088 H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Within thirty (30) days of the approval of this order the contractor shall return to the home located at 492 Midway Rd., SE, Bolivia, NC, replace the existing 13 SEER Goodman equipment with 13 SEER Trane equipment (as per the signed agreement dated 3/3/2011) and including the complete revamping of the HVAC systems to assure that they are properly installed, designed and operating to meet the NC Mechanical code and the manufacture installation instructions. This includes proper balancing and air testing (air flow hood measurements) to assure that the air delivery is properly distributed to each room of this structure per the Manual J & Manual D calculation. The contractor shall obtain a permit from the local inspection department, perform the above listed work and obtain a final inspection within forty-five (45) days of approval of this order. The contractor shall submit evidence to the board within fifty (50) days of approval of this order of the final inspection and shall submit a copy of his load calculation and duct design. The contractor shall contact the homeowner in advance and schedule a time to perform this work. This work shall be performed at no cost to the homeowner (already been paid for work). If the homeowner does not allow the contractor to perform the work as outlined above, then the licensee shall be relieved of this requirement. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Benfield, John Alexander
Benfield Heating & Air Conditioning
Newland, NC
License# 18144, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain a permit prior to commencing work, failed to obtain a final inspection, failed to ensure proper system operation, failed to comply with Board rules and regulations on bona fide employees, and violated the State Mechanical Code.

John Benfield submitted letter to Board dated 04/19/2011 surrendering his license. Resolution Conference held 06/07/2011. Review Committee recommended accepting

the surrender of the license of John Alexander Benfield, license number 18144 H-3-I, pursuant to the letter submitted by Mr. Benfield.

Bollinger, Phillip
Bollinger Plumbing of Kings Mountain
Kings Mountain, NC
License# 13279 P-II

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to obtain a permit prior to commencing work, failed to meet the minimum standards of competency, failed to meet the minimum code requirements by covering up the installed plumbing supply lines so they could not be inspected, failing to properly strap the plumbing in the attic and bathroom, failing to properly seal wall penetrations, and failing to properly insulate piping in the attic and seal spigots.

Phillip Bollinger signed a Proposed Resolution Agreement 06/08/2011.

The license of Phillip Bollinger, number 13279 P-II, shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, Mr. Bollinger must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation, and assure that his license is listed properly with the Board by 06/20/2011. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Broughton, Anthony
Fifth Element Fire Protection, LLC
Weaverville, NC
License# 23765, FS, FSIC

Allegations of misconduct and incompetence in the business of fire sprinkler contracting in that the licensee failed to assure that the 13R system installed at the Appledoorn Condominium Complex was properly insulated to prevent system freezing.

Resolution Conference held 03/21/2012.

Anthony Broughton signed a Resolution Conference Agreement 02/20/2012.

The license of Anthony Broughton, number 23765 FS, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of thirty (30) days, with the requirement that prior to the suspended license being reinstated the licensee must comply

with all of the probation provisions.

Brown, Randy Scott
Brown's Plumbing Service
Indian Trail, NC
License# 18258, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee did not contract directly with the homeowner or licensed general contractor to install a water service line from the meter with a backflow preventer for an irrigation system.

Randy Brown signed a Proposed Resolution Agreement 06/30/2011.

The license of Randy Brown my license, number 18258 P-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of two (2) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Caldwell, William L.
All State Heating & Cooling
Charlotte, NC
License# 14155, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee contracted and performed licensed work while his license was expired and/or suspended, and failed to ensure proper system operation.

Resolution Conference held 09/09/2011.

William L. Caldwell failed to appear.

Review Committee found that William L. Caldwell, although duly served with the Invitation

Letter, failed to appear at the Resolution Conference scheduled on September 9, 2011; therefore,

the license of William L. Caldwell, number 14155, H-3-I, and the license of the firm, All State Heating & Cooling in Charlotte, NC, shall be permanently revoked, beginning when this agreement is approved by the Board.

Cameron, William M.
Cameron Heating & A/C
Cameron, NC
License# 08574, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide supervision, failed to

carry out adequate ductwork installation and system design, failed to perform adequate load calculation and duct design, and violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 11/14/2011.

William Cameron signed a Resolution Conference Agreement 11/14/2011.

The license of William Cameron, number 08574 H-3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. Within 30 days from the approval of this order the contractor shall return to the home located at 608 Welch Place and perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the improperly sized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection within 90 days of approval of this order. The contractor shall submit evidence to the board within 10 days of the final inspection and shall submit a copy of his load calculation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Campbell, Timothy

Timca Inc.

Raleigh, NC

License# 29227, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee accepted a subcontract for a plumbing installation from an unlicensed general contractor, and failed to comply with the Board rules and regulations on bona-fide employees.

Timothy Campbell signed a Proposed Resolution Agreement 07/26/2011.

The license of Timothy Campbell, number 29227 P-I, shall be placed on unsupervised probation for a period of eighteen (18) months. Among other things during the probation, Mr. Campbell must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Chasse, Raoul Bertrand

RC Remodeling & Plumbing/Mr. Rooter Franklin, NC

License# 24719, P-I

Allegations of misconduct, incompetence, and gross negligence in the business of plumbing contracting in that the license failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide supervision, violated the minimum standard of the North Carolina State Plumbing Code, allowed the use of license by unlicensed persons by issuing 1099's to unlicensed employees, and created risk of personal injury or property damage.

Resolution Conference held 01/16/2012.

Raoul Chasse signed a Resolution Conference Agreement 01/16/2012.

The license of Raoul Chasse, number 17371 P-I, and that of the firm shall be placed on supervised probation for a period of eighteen (18) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation, shall submit to the Board's office within the next thirty (30) days copies of all employees W-4's, and by the end of the probation, submit a copy of all employees W-2's. Mr. Chasse did not submit copies of all employee W-4's within thirty (30) days. In the event the licensee violates the conditions of probation, his license will be suspended for a period of nine (9) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Clark, Gattis Wesco

Clark's Htg & Air Conditioning

Clarendon, NC

License# 20521, H-3-I

Allegations of misconduct, incompetence, and being unlicensed in the business of heating contracting in that the licensee failed to perform load calculation, violated the minimum standard of the North Carolina State Mechanical Code, and contracted and performed work outside current licensing qualifications.

Resolution Conference held 11/14/2011.

Gattis Clark signed a Resolution Conference Agreement 11/14/2011.

The license of Gattis Clark, number 20521 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. Within 30 days of approval of this agreement, the licensee shall hire, at his own expense, a

properly licensed H-2 contractor, which H-2 contractor shall obtain a proper permit for the equipment installed by Mr. Clark, for that H-2 contractor to perform the work according to the contract Mr. Clark enter into with Mt. Zion Baptist Church (for the equipment installed by Mr. Clark) and for that H-2 contractor to obtain a final inspection within 60 days of the approval of this agreement. This does not require Mr. Clark to hire a contractor to install the other piece of equipment and ductwork not installed. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Clark, Mark Anthony

Wake Forest, NC

License# 22550, H2&3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the license failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide adequate supervision, and violated probation for the second time.

Resolution Conference held 02/13/2012.

Mark Clark signed a Resolution Conference Agreement 02/13/2012.

The license of Mark Anthony Clark, number 22550 H-2&3-I, and the license of the firm shall be suspended for a period of sixty (60) days. Among other things, during the suspension, the licensee agreed to obtain final inspections on all of the open permits listed within complaint file number 2011-1009. If anytime during the suspension the license receives a final inspection on all of the permits in complaint number 2011-1009, then the license will be restored to active status early. If the licensee fails to obtain the final inspections on all of the jobs listed in complaint file 2011-1009, then the license shall remain suspended for a one year with the requirement that the license shall stay suspended until such time that the licensee obtains a the final inspections on the permits listed within complaint file 2011-1009. Upon successful completion of the suspension, the license of Mark Clark, number 22550 H-2&3-I, and that of the firm shall be placed on supervised probation for a period of eighteen (18) months. In the event the licensee violates the conditions of probation, his license will be suspended for a period of twelve (12) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Coffer, Charles Justin
M. Gjuraj & Son's, Inc.

d/b/a Carolina Comfort Heating & Air
Snow Camp, NC
License# 30911, H-2

Allegations of misconduct in the business of heating contracting in that the licensee allowed the use of his license by unlicensed persons, and failed to meet the Active Employment requirement set out in rule 21 NCAC 50.0a04(a).

Resolution Conference held 09/09/2011.

Charles Coffer signed Resolution Conference Agreement 09/09/2011.

The license of Charles Justin Coffer, number 30911 H-2, and the license of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things during the probation, Mr. Coffer shall remove his license from the name of M.Gjuraj & Son's, Inc. DBA Carolina Comfort Heating & Air and place it in his individual name by September 15,2011. After complaint to the Board, the licensee submitted a trade name change to have his license issued in his individual name. In addition, Mr. Coffer must enroll in and attend the Special Board Laws & Rules course presented by the Board prior to the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Cole, Christopher Cameron
Air Masters

Southport, NC
License# 29501, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide adequate supervision, and violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 11/15/2011.
Christopher C. Cole signed a Resolution Conference Agreement 11/15/2011.

The license of Christopher C. Cole, number 29501 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the proba-

tion provisions.

Cooper, Christopher Chad
Cooper's Plumbing, Inc.
Asheville, NC

License# 22838, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee presented an Affidavit in which he represented that Raymond Joseph Mastropietro was an employee of Cooper's Plumbing, Inc., although his license was listed in his individual name of Christopher Chad Cooper, engaged in business under a different name or style of business than appears on his/her license, and failed to respond to Board requests to have the license issued in the proper manner.

Resolution Conference held 10/24/2011

Review Committee approved Proposed Resolution Agreement dated 07/28/2011.

The license of Christopher Cooper, license number 22838 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee is required to enroll in and attend the Special Board Laws & rules class, and list his license properly with the Board by 08/05/2011. After complaint to the Board, the licensee submitted and received approval for a trade name change request to have his license listed in the name of Cooper's Plumbing, Inc. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Conte, Jeffery
Salisbury, NC
License# 22794, FP

Allegations of misconduct, incompetence, and working without a license in the business of fuel piping contracting in that the licensee violated the minimum standard of the North Carolina State Mechanical Code, violated the minimum standard of the North Carolina State Fuel Gas Code, and he contracted and performed work outside his current licensing qualifications.

Resolution Conference held 03/22/2012.

Jeffery Conte signed a Resolution Conference Agreement 03/22/2012.

The license of Jeffery Conte, number 22794 FP, shall be surrendered to the Board. The license surrender will be recorded as a license revocation.

Cox, Marvin
Washington, NC
License# 14522, P-II

Allegations of misconduct and incompetence in the business of plumbing contracting in that the license failed to provide adequate

supervision, and failed to sanitize a water well after performing the installation of a new well piping for a deep well jet pump.

Resolution Conference held 02/20/2012.

Marvin Cox signed a Resolution Conference Agreement 02/20/2012.

The license of Marvin Cox, number 14522 P-II, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Cox, Michael Craig
Martin Renovations, Inc. d/b/a Bath
Fitter

Kernersville, NC
License# 23973, P-I

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide supervision, and violated the minimum standard of the North Carolina State Plumbing Code.

Resolution Conference held 10/25/2011.

Michael Cox signed a Resolution Conference Agreement 10/25/2011.

The license of Michael Cox, number 23973 P-I, and that of the firm shall be placed on supervised probation for a period of eighteen (18) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Crawford, David Barry
Crawford Climate Control, Inc.
Fletcher, NC
License# 20569, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to call for a mechanical inspection within ten days of substantial completion in violation of NCGS 87-21 section .0402 (a), violated the State Mechanical Code by failing to properly label, identify and protect the gas line from corrosion, failed to properly install the

thermostat wire, failed to use primer on condensate line, failed to install a trap on the condensate line, improper plenum construction (not properly sealed & insulated), unit not properly supported, and unit not rodent proofed.

David Crawford signed a Proposed Resolution Agreement 07/28/2011.

The license of David Crawford, number 20569 H-3-I, shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, Mr. Crawford must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation. By 08/06/2011, the contractor shall return to the Five Points Restaurant located at 258 Broadway Street, Asheville, NC and perform a thorough load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized equipment with properly sized roof top unit and obtain a final inspection by 08/15/2011. The contractor shall submit evidence to the board by 09/01/2011 and shall submit a copy of his load calculation. Mr. Crawford agree to return to the Five Points Restaurant by 08/06/2011 and correct any and all code violations that still exist. Contact the business owner in advance and arrange a time to perform this work. Prior to commencing any work, obtain a permit from the local code enforcement official and receive a final inspection by 08/15/2011. Mr. Crawford must assure that all open permits listed with the City of Asheville Building Safety Department are closed out by September 1st, 2011; and provide the board with a copy of the closed out permits by September 1st, 2011. After complaint to the Board, Mr. Crawford made the corrections, and closed out the outstanding permits. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Culbreth, Philip Edward
Phil Culbreth's Elec, Htg & Clg
Tryon, NC
License# 16382, H-3-I

Allegations of misconduct in the business of heating contracting in that the license contracted to perform the installation of new heat pumps for low income homeowners in Polk, Rutherford, Cleveland and McDowell Counties and failed to pull the required permits and have the units inspected as required by North Carolina GS 87-21, NCAC Section .0402.

Philip Culbreth signed a Proposed Resolution

Agreement 11/30/2011.

Review Committee approved 12/06/2011.

The license of Philip Edward Culbreth, number 16382 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Daniels, Luther Hamilton
Daniels Mechanical Incorporated
Manteo, NC
License# 17637, H-3-II

Allegations of misconduct and being unlicensed in the business of heating contracting in that the licensee contracted heating group two work by contracting and performing the installation of a Rudd air handler and duct work at a commercial structure.

Luther Daniels signed a Proposed Resolution Agreement 06/07/2011.

The license of Luther Daniels, number 17637 H-3-II, shall be placed on supervised probation for a period of twelve (12) months. Among other things during the probation, Mr. Daniels must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation. Until Mr. Daniels becomes a properly licensed H3-I, or H2 contractor, he must assure that the work that is performed under his license be restricted to installations on single family detached residential dwellings. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Darnell, Hobson
R & R Plumbing
Indian Trail, NC
License# 13952, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to obtain permit(s) prior to commencing work, and failed to provide supervision.

Resolution Conference held 03/20/2012.

Hobson Dewey Darnell signed Resolution Conference Agreement 03/20/2012.

The license of Hobson Dewey Darnell, number 13952 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee

agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Dillard, Travis Van
Vans Heating & Air LLC
Charlotte, NC
License# 22062, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to provide supervision, failed to carry out adequate ductwork installation and system design, violated the minimum standard of the North Carolina State Mechanical Code, and failed to respond to consumer in a timely manner/poor business practices.

Resolution Conference held 10/27/2011

Travis Van Dillard signed Resolution Conference Agreement 10/27/2011.

The license of Travis Van Dillard, number 22062 H-3-I, and the license of the firm shall be suspended for a period of twelve (12) months. Among other things during the suspension, the licensee must enroll in and attend the Special Board Laws & Rules course presented by the Board prior to the end of the suspension, enroll in the Special Contractor Business Management course approved by the Board's Executive Director and present evidence to the staff of the Board of a passing grade in such course by the end of the suspension. Upon successful completion of the suspension, the license of Travis Dillard, number 22062 H-3-I, and that of the firm shall be placed on supervised probation for a period of three (3) years. In the event the licensee the licensee violates the conditions of probation, his license will be permanently revoked.

Dills, William Jeremiah
Dills Plumbing
Brevard, NC
License# 24385 P-II

Allegations of misconduct in the business of plumbing contracting in that the licensee violated his probation in that the licensee failed to take the P-I examination during the probation as required by the probation agreement approved by the Board on 05/12/2009, and violated his probation in that the licensee failed to obtain a passing grade in the P-I examination during the probationary period of 05/12/2009 – 05/12/2010.

Resolution Conference held 09/06/2011.

William Dills signed Resolution Conference Agreement 09/06/2011.

The license of William Dills, number 24385 P-II, and the license of the firm shall be suspended for a period of six (6) months. If the licensee, William Dills, passes the requirements for the P-I license within the (6) month suspension, then the license of William Jeremiah Dills will be immediately reinstated and the suspension will be terminated. In the event the licensee violates the conditions of suspension, his license will remain on suspension until such time as the licensee passes the Plumbing Class I examination.

Dunagan, Mitchell Wayne
Mitchell Dunagan Plumbing Company
Cleveland, GA
License# 23701, P-II

Allegations of misconduct engaged in business under a different name or style of business than appears on his/her license in violation of NCGS 87-21, section .0408 and failed to specify on the permit the specific work contracted for and completed which resulted in an unlicensed plumber being able to use his license to install a sewer line.

Mitchell Dunagan signed a Proposed Resolution Agreement 08/05/2011.

The license of Mitchell Dunagan, number 23701P-II, shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, Mr. Dunagan must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation, and must properly list his license with the board by 08/12/2011. After complaint to the Board, Mr. Dunagan completed a trade name change and the licensee was issued in the name of Mitchell Dunagan Plumbing Company. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Edwards, Donald
Edwards Air Works Inc.
Lincolnton, NC
License# 15670, H2 & 3-I

Allegations of misconduct in the business of heating contracting in that the license failed to pull the required permit and have the mechanical installation inspected which is a violation of GS 87-21 section .0402, and failed to complete a load calculation as required by GS 87-21 section .0505 (f).

Donald Edwards signed a Proposed Resolution Agreement 12/07/2011.

The license of Donald Francis Edwards, number 15670 H-2-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special

Board Laws & Rules course by the end of the probation, by 12/21/2011 the contractor shall return to the home located at 437 5 Jim Wise Road, Lincolnton, NC 28092 and perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection. The contractor shall submit evidence to the board by 12/31/2011 of the final inspection and shall submit a copy of his load calculation. The contractor shall submit evidence to the board by 12/15/2011 of any permits, final inspections and shall submit a copy of his load calculations. The open permits listed above must be closed out by 12/15/2011. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Elliott, James Edward
Carolina Comfort Heating & Air
Kannapolis, NC
License# 17271, H-3-I

Allegations of misconduct and violation of prior probation order in the business of heating contracting in that the licensee violated the probation approved by the Board on July 13, 2010, and he submitted a proposal for a job where the total tonnage of the project exceeded 24 tons when he only holds an H-3-I license.

Resolution Conference held 09/08/2011.

James Elliott signed Resolution Conference Agreement 09/08/2011.

The license of James Edward Elliott, number 17271 H-3-I, and the license of the firm shall be suspended for a period of six (6) months. In the event the licensee violates the conditions of suspension, his license will be suspended for a period of twelve (12) months.

Ellsworth, Douglas
Jacksonville Heating Contractors, Inc.
d/b/a Trent Heating & Air (former sub-licensee)
New Bern, NC
License# 22786, H-3-II

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain final inspections in a reasonable timeframe, violated the minimum standard of the North Carolina State Mechanical Code, failed to perform work in compliance with the written contract with the homeowner, and failed to provide adequate supervision.

Resolution Conference held 02/20/2012.

Marvin Cox signed a Resolution Conference Agreement 02/20/2012.

The license of Douglas Ellsworth, number 22786 H-3-II, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of thirty (30) days, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Fairfax, James Keith
Pridgen Brothers Contractors, Inc. (sub licensee)
Whiteville, NC
License# 13715, H-1, 2&3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to carry out adequate ductwork installation and system design, violated the minimum standard of the North Carolina State Mechanical Code, and failed to provide adequate supervision.

Resolution Conference held 10/06/2011.

James Fairfax signed a Resolution Conference Agreement 10/06/2011.

The license of James Fairfax, number 13715 H-1, 2&3-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. If allowed by the homeowner, within thirty (30) days of the approval of this order, the contractor shall return to the property located at 133 Otto Nance Rd, Cerro Gordo, NC, obtain a permit from the local inspection department, assure that the equipment and duct work installations are installed to meet the minimum standard of the state code and the manufacture installation instruction and obtain a final inspection within forty-five (45) days of approval of this order. The contractor shall submit evidence to the board within fifty (50) days of approval of this order of the final inspection and shall submit a copy of his load calculation. Among other things during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Etheridge, Billy E.
Billy E. Etheridge Plbg & Heating
Goldsboro, NC
License# 06041, PH-I & 3-I

Allegations of misconduct and selling his

license in the business of plumbing and heating contracting in that the licensee allowed his son, Christopher S. Etheridge, to contract, obtain permits, perform work and obtain inspections for work he (Christopher Etheridge) contracted through his firm, All Seasons in Pikeville, NC, under the license of Billy Erwin Etheridge.

Billy Erwin Etheridge signed a Proposed Resolution Agreement 03/24/2011.

Billy Erwin Etheridge, license number 06041, PH-I & 3-I, voluntarily surrendered his license to the Board. As a result of surrendering his license to the Board, the license will be revoked. If Mr. Etheridge wishes to re-establish his license, he will be required to answer to the charges in the specific complaints and he may have to reexamine per the General Statutes Chapter 87, Article 2.

Evans, Kenneth Warren
A Comfortable Home HVAC Service, LLC
Zebulon, NC
License# 22618, H-2, & 3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to obtain a permit prior to commencing work, failed to provide adequate supervision for work performed under his license by failing to return to the project during the course of the installation in order to insure that the work (installation of a new Goodman Package unit) was performed in a workman-like manner and according to code, violated the State Mechanical Code, and failed to contract directly with the homeowner, did not receive the contractual payment from the homeowner.

Kenneth Warren Evans signed a Proposed Resolution Agreement 08/18/2011.

The license of Kenneth Evans, number 22618 H-2 & H-3-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other things, during the probation, the licensee must enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of nine (9) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Ford, David Lee
Ford's Air Conditioning & Heating, Inc.
Lincolnton, NC
License# 17438, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to obtain a permit prior to commencing the installation of a heat pump in violation of GS

87-21, section .0402, failed to properly size the heat pump prior to installing the unit in the home in violation of GS 87-21, section .0505, failed to complete a load calculation for the change out of the heat pump, and violated the State Mechanical Code by failing to install a trap on the condensate line, and failing to install the condensate line outside of the home.

David Lee Ford signed a Proposed Resolution Agreement 02/22/2012.

The license of David Lee Ford, number 17438 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. By 02/14/2012, I will obtain and pass inspection for this

mechanical installation at 6085 Doral Ln. in Vale, NC. The contractor shall submit evidence to the board by 03/05/2012 of the final inspection. After complaint to the Board, the licensee completed the load calculation and obtained an approved final inspection. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Freeze, Jerry F.
CJ's Services Unlimited LLC
Concord, NC
License# 11694, H1&3-I, H2

Allegations of misconduct in the business of heating contracting in that the licensee presented an Affidavit in support of the examination application of Jonathan Lane in which he represented that Lane was an employee. Licensee paid Mr. Lane on a Form 1099-MISC Form without withholding taxes in violation of the Board rule 21 NCAC 50.0512

Jerry Freeze, Jr. signed a Proposed Resolution Agreement 07/13/2011.

The license of Jerry F. Freeze, number 11694, H1&3-I, H2, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, the licensee is required to enroll in and attend the Special Board Laws & rules class by the end of the probationary period. Mr. Freeze is required to submit to the Board's office within thirty (30) days copies of all employee W-4's and by the end of the probation submit a copy of all employee W-2's. Prior to the deadline, licensee submitted a notarized statement attesting that he does not have any employees. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement

that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Gallaher, Jeffrey
All About Drains, LLC.
Charlotte, NC
License# 20202, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee presented an Affidavit in support of the examination application of Mehmet E. Ilik to take the State Plumbing Examination in which he represented that Mr. Ilik was an employee from February 5, 2009 through November 20, 2009. Licensee paid Mr. Ilik on a Form 1099-MISC Form for the years of 2005 through 2009 without withholding taxes in violation of the Board rule 21 NCAC 50.0512.

Jeffrey Gallaher signed a Proposed Resolution Agreement on 05/17/2111.

The license of Jeffrey Gallaher, number 20202 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probationary period, Mr. Gallaher must enroll in and attend the Special Board Laws & Rules course prior to the end of the probationary period, and shall submit to the Board's office within the next thirty (30) days copies of all employees W-4's and by the end of the probation submit a copy of all employees W-2's. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

Garrison, Kermit
Ashley's Heating & Air
Hickory, NC
License# 12992, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee used his license to pull a permit for work that he did not contract and or perform, which is a violation of GS 87-21, section .0403, and he worked outside the limitations of his license by performing heating group one work in violation of GS 87-21, section .0406.

Kermit Ashley Garrison signed a Proposed Resolution Agreement on 05/09/2011.

The license of Kermit Ashley Garrison, number 12992 H-3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things during the probationary period, Mr. Garrison must enroll in and attend the Special Board Laws & Rules course, and by May 15, 2011, must assure that his license has been listed with the Board in the name that he currently operates his business. On 06/02/2011, Mr.

Garrison submitted a trade name change form request to list his license in the name of Ashley's Heating & Air, Inc., and it was approved. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

Griffin, James Britton II
TGK Enterprises, Inc. d/b/a
Enterprise Electrical & Mechanical, Co.
Indianapolis, IN
License# 30020, H2&3-I

Allegations of misconduct in the business of heating contracting by engaging in business and listed his license under the name of Climate Comfort Heating & Air, LLC while he held employment with Southern Mechanical as an part time installer, a contract in the name of Climate Comfort Heating & Air, LLC to perform the installation of two (2) split system heating and air conditioning systems was obtained and performed without his knowledge, failed to provide adequate supervision for work performed under his license, violated the State Mechanical Code, and performed work that requires a plumbing class II license without valid license qualifications.

Resolution Conference held 01/18/2012.

Review Committee recommended to accept the 08/05/2011 Proposed Resolution Agreement.

The license of James Griffin, number 30020 H2&3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Hair, Allan George
Geno's Air Cond. & Heating, Inc.
Sylva, NC
License# 09885, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee contracted heating group 2 work without valid license qualifications, obtain permit(s) prior to commencing work, and failed to request inspections within 10 days of substantial completion of work.

George Hair signed a Proposed Resolution Agreement 10/18/2011.

The license of Allan George Hair, number 09885 H-3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things,

during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. Hire, at his own expense, a properly licensed H-2 contractor, which contractor shall obtain the required permits, correct any and all code violations with the installations and obtain a final inspection by 11/07/2011. The licensee will provide the board with a copy of the letter of compliance issued by the inspection department by 11/14/2011.

In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Hardison, Joseph
Joe Hardison Heating & Air
Morehead City, NC
License# 16043, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to obtain a permit prior to commencing work, failed to renew his 2011 license until 12/18/2011, failed to perform, at a minimum, a whole house block load calculation for the change-out of a 2.5 ton outdoor condensing unit, contracted and performed for which a license was required in 2011 which his license was expired, and failed to request final inspection within 10 days of substantial completion of the work.

Joseph Hardison signed a Proposed Resolution Agreement 01/18/2012.

The license of Joseph Hardison, number 16043 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation, contractor shall return to the home located at 305 E. Bogue Blvd., and perform a Manual J, whole house, load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection by 01/31/2012. The contractor shall submit evidence to the board by 02/03/2012 of the final inspection and shall submit a copy of his load calculation; assure that all installations that have been performed under his license that have either been permit and not inspected or have not been permitted or inspected shall receive an approved final inspection by 01/31/2012; assure that he has renewed his license prior to the expiration of the license on December 31st of each year. After complaint to the Board, the licensee submitted the load calcu-

lation, obtained an approved final inspection, and renewed his 2012 license by 12/31/2011. In the event the licensee violates the conditions of probation, his license will be suspended for a period of ninety (90) days, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Hayes, Alan Kent
Northwestern Heating and Air, Inc.
Boone, NC
License# 17468, H-2&3-I

Allegations of misconduct, incompetence, and being unlicensed in that business of heating contracting in that the licensee violated the minimum standard of the North Carolina State Mechanical Code, failed to carry out adequate installation and system design, performed work outside current licensing qualifications, and failed to meet the timeframe specified by the Resolution Review Committee.

Resolution Conference held 10/25/2011.

Alan Kent Hayes signed a Resolution Conference Agreement 10/25/2011.

The license of Alan Kent Hayes, number 17268 H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Hedges, Edgar
America First Heating & Cooling, LLC
Monroe, NC
License# 21380, H-3-II

Allegations of misconduct in the business of heating contracting in that the licensee presented an affidavit in support of the examination application of Melanie Jane Patrick-Hedges in which he confirmed the experience for her to sit for the Heating Group 3 Class I examination. The affidavit represented that Melanie Jane Patrick-Hedges was an employee of America First Heating & Cooling, LLC from September, 1997 through the present date performing duties related to heating and air conditioning and fuel piping. For the tax years of 2008, 2009, & 2010, applicant presented copies of 1099 Forms as proof of employment with America First Heating & Cooling, LLC in which the licensee paid her, without withholding taxes, which was a violation of the Board rule 21 NCAC 50.0512.

Edgar Hedges signed Proposed Resolution Agreement on 02/01/2012.

The license of Edgar Hedges, number 21380 H-3-II, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things,

during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation, and submit to the Board's office within the next thirty (30) days copies of all employee W-4's and by the end of the probation submit a copy of all employee W-2's. After complaint to the Board, the licensee submitted copies of all employees W-4's. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

**Hess, Mark V.
Hess Plumbing
Wake Forest, NC
License# 12614, PH-3-I**

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to request final inspections for permits pulled with the Town of Wake Forest Inspections Department for PRV valves between 01/13/2011 through 08/21/2011 within 10 days of substantial completion of the work. Mark Hess signed a Proposed Resolution Agreement 09/28/2011.

Review Committee approved 11/17/2011. The license of Mark Hess, number 12614 PH-3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. Licensee also agreed to assure that all installations that have been performed under his license that have not been inspected shall receive an approved final inspection within 90 days. After complaint to the Board, the licensee obtained the final inspections. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

**Horne, Marion Eugene
Jay's Jetter and Plumbing Services, Inc.
Monroe, NC
License# 08797, P-I**

Allegations of misconduct and selling his license in the business of plumbing contracting in that the licensee, although he was not working at the firm or on the company payroll, listed his name in the name of the firm, Jay's Jetter and Plumbing Services, Inc., failed to have knowledge of the replacement of an existing gas fired water contracted and performed under his license, failed to obtain a permit prior to commencing work, and failed

to provide adequate supervision for work performed under his license. Marion Horne signed a Proposed Resolution Agreement 11/09/2011.

The license of Marion Horne, number 08797 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. Within fifteen (15) days, the licensee must immediately withdraw his license from the business name of Jay's Jetter and Plumbing Services, Inc. and list his license in his personal name. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

**House, Samuel David
Tarheel Heating & Air
Tarboro, NC
License# 21348, H-3-I**

Allegations of misconduct, incompetence, and selling license in the business of heating contracting in that failed to perform a load calculation and duct design, violated the minimum standard of the North Carolina State Mechanical Code, subcontracted work from an unlicensed individual, and allowed the use of his license by unlicensed persons.

Resolution Conference held 06/27/2011. Samuel David House signed a Resolution Conference Agreement 06/27/2011.

The license of Samuel David House, number 21348 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, prior to the end of the probation period, Mr. House must enroll in and attend the Special Board Laws & Rules course. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

**Howe, Sean Thomas
ABS Plumbing
Kitty Hawk, NC
License# 22348, P-I**

Allegations of misconduct in the business of heating contracting in that the licensee presented an Affidavit in support of the examination application of John R. Wenstrom in which he represented that Wenstrom was an employee of Albacore Plumbing, Inc. from June 2006 through December 2010 although the name of the firm changed to ABS Plumb-

ing on or about June 10, 2010. In addition, the licensee paid Mr. Wenstrom on a Form 1099-MISC Form without withholding taxes in violation of the Board rule 21 NCAC 50.0512

Sean Howe signed a Proposed Resolution Agreement 10/26/2011.

Review Committee approved 12/06/2011. The license of Sean Thomas Howe, number 22348 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation, and submit to the Board's office within the next thirty (30) days copies of all employee W-4's and by the end of the probation submit a copy of all employee w-2's. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

**Huffman, Stewart Rufus
Clarksville, GA
License# 07680 P-I**

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, violated the minimum standard of the North Carolina State Plumbing Code, engaged in business under a different name or style of business than appears on his license, left a lavatory arms open that was connected to an active plumbing venting system and an active sewer system, allowing sewer gases to enter into the structure.

Resolution Conference held 09/06/2011. Stewart Rufus Huffman signed Resolution Conference Agreement 09/06/2011.

The license of Stewart Rufus Huffman, number 7680 P-I, and the license of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probationary period, within thirty (30) days of the approval of this order the contractor, Stewart Huffman, shall return to the home located at 1162 Ray Cove Rd., uncover all concealed plumbing work that has been installed, correct all code violations and obtain a final

inspection within ninety (90) days from approval of this order. The licensee shall submit evidence to the board of compliance within thirty (30) days of receiving the final inspection. Within fourteen (14) business days, Mr. Huffman must assure that his license has been listed with the Board in the

name that he currently operates his business. In addition, the licensee must enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Hughes, Gary
Gary's Electrical Service Inc.
Colerain, NC
License# 13864, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee contracted a job to replace a 4-ton outdoor condensing unit and evaporator coil for an assisted living facility after his employee with the H-2 license qualifications was no longer a full time employee and was not present at the job site while work was performed, and failed to obtain permit prior to commencing work, violated the State Mechanical Code, failed to request final inspection within 10 days of substantial completion of the work, and contracted another job required H-2 license qualifications to replace a 10 ton 13 seer roof top package unit for a county jail without valid license qualifications.

Gary Hughes signed a Proposed Resolution Agreement 08/11/2011.

The license of Gary Hughes, number 13864 H-3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee must enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Isaacs, Bradford
Zirconia, NC
License# 14451 P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee allowed the use of the license by an unlicensed governmental agency, and improperly confirmed experience for an examination applicant.

Resolution Conference held 09/07/2011.

Bradford Isaacs signed Resolution Conference Agreement 09/07/2011.

The license of Bradford Isaacs, number 14451 P-I, and the license of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probationary period, the licensee must assure that he only performs work un-

der properly licensed firms, governmental agencies or companies, licensee agrees that his records and the records of the firms, governmental agencies or company he licenses shall be available for review by the Board's staff any time during normal working hours, and the licensee must enroll in and attend the Special Board Laws & Rules course presented by the Board prior to the end of the probation.

In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Jackson, Robert Wayne
J & M Heating and Cooling, Inc.
Fletcher, NC
License# 13738, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to install separate mechanical equipment or automatic zoning at a new multi-level home constructed at 219 Picnic Point Rd., Lake Lure, NC.

Resolution Conference held 06/06/2011.

Robert Jackson signed a Resolution Conference Agreement 06/06/2011.

The license of Robert Jackson, number 13738 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probationary period, Mr. Jackson must assure that on all new installations of multi-level structures that the contractor shall either install separate equipment to serve each level or automatic zoning for each level as prescribed by rule 21 NCAC 50.505 (d), and prior to the end of the probation period he must enroll in and attend the Special Board Laws & Rules course. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

Jenkins, Donald Yates
Century Heating and A/C
Bostic, NC
License# 11315, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee violated the State Mechanical Code, paid an unlicensed individual, Brad Jenkins, in cash or with a form 1099, which was a violation of GS 87-21, NCAC 50 Section .0512, failed to properly size the mechanical installation, failed to complete a duct design as required by GS 87-21 NCAC 50 section .0505, failed to provide adequate supervision for work performed under his

license, and failed to meet the minimum NC Building Code standard which is a violation of GS 87-21, NCAC 50, sections .0406, .0505 (a)(b).

Donald Jenkins signed Proposed Resolution Agreement 02/20/2012.

After his license is renewed, the license of Donald Jenkins, number 11315 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. By 03/10/2012, the licensee agreed to return to the home at 166 Edley Toney Rd., perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection. The contractor shall submit evidence to the board by 03/24/2012 of any permit, final inspections and shall submit a copy of his load calculation. After complaint to the Board, the licensee submitted the load calculation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Johnson, Jimmy D.
Almond, NC
License# 28581, H-3-II

Allegations of misconduct, incompetence, and violation of a prior probation order in the business of heating contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to carry out adequate ductwork installation and system design, violated the minimum standard of the North Carolina State Mechanical Code, and recommended to a homeowner an unlicensed person to perform two installations where the licensee allowed his wholesale account to be used by the homeowner to secure the equipment, and violation of the probation order approved by the Board on 03/14/2011.

Jimmy Denile Johnson signed Proposed Resolution Agreement on 03/21/2012.

The license of Jimmy Johnson, number 28581 H-3-II, and that of the firm shall be suspended for a period of six (6) months. This suspension does not take effect until such time that the licensee properly renews his license with our Board and this agreement supersedes the previous order approved by the Board on 03/14/2011. The license will be restored at

the end of the suspension period provided that the Johnson's license to engage in business as a H-3-II contractor is suspended from the date when license is renewed. If the license is not renewed and remains expired for three years, then the license shall be subject to reexamination. Among other things, during the suspension the Johnson shall return to the home located at 1166 Allen's Creek Road, obtain a new permit from the local code enforcement official, properly install the package unit and the ductwork to meet the requirements of the code as well as the requirements of the system installation in a flood zone, which includes installing the duct system within the attic of the home, this shall include a load calculation and duct design, and the above work shall be performed by the contractor at no cost to the homeowner. The license may be returned to the licensee early than the six month suspension if the licensee completes the work at 1166 Allen's Creek Road, obtains a final inspection from the local inspection department and submits documentation from the inspection department and the homeowner that all issues have been resolved, and if the licensee does not comply with the requirements listed in this suspension agreement within the timeframe listed above, then the license shall remain suspended until such time that the licensee complies with the suspension requirements. In addition, within thirty days of 03/21/2012, the licensee must assure that his license has been listed with the Board in the name that he currently operates his business. Upon successful completion of the suspension, the license of Jimmy Johnson, number 28581 H-3-II, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months. Among other things, during the probation, the licensee must not sell any HVAC equipment to unlicensed persons, and must not recommend any unlicensed persons for work that requires a license. In the event the licensee violates the conditions of probation, his license will be suspended for a period of twenty-four (24) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Johnston, David Lee
Dave's Heating & Cooling
Coats, NC

License# 18112, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee presented an Affidavit in support of the examination application of James Earl Britt in which he represented that Mr. Britt had been an employee with his firm for 4 years, but Mr. Britt was paid with a check without withhold-

ing W2 taxes. The licensee failed to withhold taxes for Mr. Britt and paid Mr. Britt on a Form 1099.

David Lee Johnston signed a Proposed Resolution Agreement 10/21/2011.

The license of David Lee Johnston, number 18112 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. The licensee must submit to the Board's office within the next thirty (30) days copies of all employee W-4's and by the end of the probation submit a copy of all employee W-2's. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Joines, Dickie

Joines Heating A/C, Refrigerant & Electrical, Inc.

Landis, NC

License# 22881, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee allowed his license number to appear on a permit on a job where he did not hold the contract with the homeowner or general contractor and did not receive the contractual payment for the job, licensee failed to withhold taxes and paid an unlicensed individual using a 1099 Form in violation of the Board rule 21 NCAC 50.0512, and violated the State Mechanical Code.

Dickie Joines signed a Proposed Resolution Agreement 02/16/2011.

Proposed Resolution Agreement referred to Review Committee for a conference.

Review Committee recommended accepting Proposed Resolution Agreement.

The license of Dickie Joines, number 22881, H-3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things during the probationary period, Mr. Joines must also enroll in and attend the Special Board Laws & Rules course prior to the end of the probation period. By March 10, 2011, the licensee agreed to return to the home located at 153 Green View Drive, Waynesville, NC and perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the licensee shall replace the undersized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection by March 25, 2011. The replacement of equipment and labor will be at no cost to the homeowner.

The contractor shall submit evidence to the board within 15 days of the final inspection and shall submit a copy of his load calculation. After complaint to the Board, the licensee made the corrections and a final approved inspection was obtained 03/28/2011. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

Jones, Ronald Gray
Ronnie Jones Plumbing

Advance, NC

License# 16776, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee presented an Affidavit in support of the examination application of Garrett Freeman O'Neal in which he represented that Whitson was an employee. Licensee paid Mr. O'Neal on a Form 1099 for the calendar year 2003 without withholding taxes in violation of the Board rule 21 NCAC 50.0512.

Ronald Gray Jones signed a Proposed Resolution Agreement 09/22/2011.

Review Committee approved 11/16/2011.

The license of Ronald Jones, number 16776 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee is required to enroll in and attend the Special Board Laws & rules class. Mr. Jones is required to submit to the Board's office within thirty (30) days copies of all employee W-4's and by the end of the probation submit a copy of all employee W-2's. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements. Prior to the deadline, licensee submitted a statement that he does not have any employees.

Keller, David Alan
Morganton, NC

License# 21589, H-3-II

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to perform load calculations, and violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 06/07/2011.

David Keller signed a Resolution Conference

Agreement 06/07/2011.

The license of David Keller, number 21589 H-3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

Kendall, Brad D.

**Enterprise Electrical & Mechanical Co.
Indianapolis, IN**

License# 30607, P-I

Allegations of misconduct and being unlicensed in the business of heating contracting in that the company, Enterprise Electrical & Mechanical continued to perform mechanical work on a commercial project, without a properly licensed mechanical contractor, after the individual with the mechanical license removed his qualifications from the firm.

Brad Kendall signed a Proposed Resolution Agreement 09/14/2011.

Review Committee approved 11/08/2011.

The license of Brad Kendall, number 30607 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Kilgore, James II

**S.B. Parker Company
New Bern, NC**

License# 30035 H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, and violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 02/20/2012.

James Kilgore signed Resolution Conference Agreement.

The license of James D. Kilgore, number 30035 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee

must comply with all of the probation provisions.

King, Douglas

Hendersonville, NC

License# 24543, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee allowed an unlicensed general contractor, who owns and operates DPI Structural Movers, to use his license number to pull a plumbing permit with the Henderson County Building Inspection Department for the plumbing of a remodeled home.

Douglas King signed a Proposed Resolution Agreement 04/25/2011.

Proposed Resolution Agreement referred to Review Committee for a conference.

Review Committee recommended accepting Proposed Resolution Agreement.

The license of Douglas King, number 24543, P-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things during the probationary period, Mr. King must also enroll in and attend the Special Board Laws & Rules course prior to the end of the probation period, and assure that he will only contract with the property owner or a licensed general contractor. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

King, Robert Clyde Jr.

Full Service Mechanical

Bessemer City, NC

License# 18121, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to meet the active employment requirement as prescribed in rule 21 NCAC 50.0404(a), failed to provide adequate supervision, allowed the use of license by unlicensed persons by issuing 1099's to unlicensed employees, and engaged in business under a different name or style of business than appears on his license.

Resolution Conference held 10/26/2011.

Robert King signed a Resolution Conference Agreement 10/25/2011.

The license of Robert King, number 18121 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Within five (5) business days, Mr. King agreed that his license, number 18121 H-3-I, shall be immediately withdrawn from the business name of Full Service Mechanical and that this license shall be listed with the Board in his personal name. After complaint to the Board, Mr. King removed his license from Full Service Mechanical.

Among other things, during the probation, the licensee is required to enroll in and attend the Special Board Laws & rules class. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements. Prior to the deadline, licensee submitted a statement that he does not have any employees.

Lane, James Raymond

Lane Plumbing

Raleigh, NC

License# 14839, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee subcontracted the installation of digital water meters from an unlicensed contractor, and licensee failed to without taxes and paid an unlicensed individual using a 1099 Form in violation of the Board rule 21 NCAC 50.0512.

James Lane signed a Proposed Resolution Agreement 10/12/2011.

The license of James Lane, number 14839 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. The licensee must submit to the Board's office within the next thirty (30) days copies of all employee W-4's and by the end of the probation submit a copy of all employee W-2's. After complaint to the Board, the licensee submitted records of his W-2 employees. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Leonard, Ashley

License# 19973, H-3-I

Allegations of misconduct by failing to comply with a prior probation order approved by the Board.

Ashley Leonard signed Proposed Resolution Agreement on 03/02/2012.

Ashley Leonard agreed to surrender license number 19973 H-3-I, to the Board. The act of surrendering the license is considered to be a license revocation.

Loflin, Nathan Ronald

Loflin HVAC, LLC

Raleigh, NC

License# 13341, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that

the licensee failed to carry out adequate ductwork installation and system design, and violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 07/19/2011.

Nathan Loflin signed Resolution Conference Agreement 07/19/2011.

The license of Nathan Loflin, number 13341 H-3-I, and the license of the firm shall be placed on unsupervised probation for a period of twelve (12) months. If allowed by the homeowner, Mr. Loflin agreed to obtain a permit, return to the job at 27 Destiny Circle, correct all code violations, duct sizing and installation issues and have a final inspection performed by the local inspector within the next sixty (60) days from approval of this order. This work will be performed at no expense of the homeowner. If the homeowner does not allow the licensee to return and make the corrections, then the contractor is relieved of this requirement. In addition, the licensee is required to enroll in and attend the Special Board Laws & rules class by the end of the probationary period. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Loflin, Steven L.

**L & S Heating & Cooling
North Myrtle Beach, SC
License# 16219, H-2&3-I**

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to properly install a Carrier heat pump and all associated duct work, and abandoned the job.

Resolution Conference held 10/07/2011.

Review Committee approved Proposed Resolution Agreement dated 05/05/2011.

The license of Steven Loflin, license number 16219 H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee is required to enroll in and attend the Special Board Laws & rules class, and provide to the Board with a receipt by 05/19/2011 documenting that restitution in the amount of \$700.00 has been paid to the general contractor. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

**Long, Roger Hartman
Paradise Heating & Air Co.
Fayetteville, NC
License# 29224, H-3-II**

Allegations of misconduct in that the licensee violated the probation approved by the Board on 06/14/2009 and license was suspended, and during the suspension the licensee did not resolve the issues of all of the permits still being open.

Resolution Conference held 07/21/2011.

Roger Hartmann Long signed Resolution Conference Agreement 07/21/2011.

The license of Roger Hartmann Long, number 29224 H-3-II, will stay under the status of suspension until the following items are corrected: Within thirty (30) days of approval of this order the following permits M-08-010618 dated 08-15-2008, M-08-009647 dated 07-25-2008, M-08-012301 dated 09-23-2008 and M-08-015045 dated 11-19-2008, issued by the City of Fayetteville Inspection Department shall receive a final inspection. If the homeowners does not allow the licensee to gain access to the structures associated with the permits listed above then the contractor must attempt to obtain documentation from the homeowners verifying that they have refused to allow the licensee access to the structure to obtain the final inspection. The licensee is required to submit a copy of the letters from the homeowners to both the board and the local inspection department. Upon successful completion as outlined above, the license of Roger Long, number 29224 H-3-II, and that of the firm shall be placed on unsupervised probation for a period of twenty four(24) months. The licensee is required to enroll in and attend the Special Board Laws & rules class by the end of the probationary period. In the event the licensee violates the conditions of probation, his license will be suspended for a period of twelve (12) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Lowe, Ronald D.

**BCH Mechanical d/b/a
Conserv Building Services of NC, Inc.
Matthews, NC
License# 24422, H-3-I**

Allegations of misconduct in the business of heating contracting in that the licensee contracted heating group class two work without proper license qualifications.

Ronald Lowe signed a Proposed Resolution Agreement 12/06/2011.

The license of Ronald Lowe, number 24422 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of two (2) months, with the require-

ment that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Mabe, Jason W.

**A&M Contractors, Inc.
Ellerbe, NC**

License# 28648, H-3-I

Allegations of misconduct in the business of heating contracting in that the license contracted and performed license heating group 2 work outside his license qualifications on buildings where the total tonnage was in excess of 100 tons in violation of North Carolina GS 87-21.

Jason Mabe signed a Proposed Resolution Agreement 12/2/2011.

Review Committee approved 12/06/2011.

The license of Jason Wayne Mabe, number 28648 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Mansfield, Matthew

**Mansfield Sales and Service, Inc.
Oak Island, NC**

License# 28975, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide adequate supervision, failed to perform proper duct design, violated the minimum standard of the North Carolina State Mechanical Code, and violated a prior probation order.

Resolution Conference held 02/16/2012.

Matthew Mansfield signed a Resolution Conference Agreement.

The license of Matthew Mansfield, number 28975 H-3-I, and that of the firm shall be suspended for a period of six (6) months. Upon successful completion of the suspension, the license of Matthew Mansfield, number 28975 H-3-I, and that of the firm shall be placed on supervised probation for a period of eighteen (18) months. Among other things, during the probation, the licensee agreed to enroll in and obtain a passing grade in the Special Contractor Business Management Course Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of

two (2) years, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Manuel, William V.
Manuel Sheet Metal Works, Inc.
Kernersville, NC
License# 14208, H-2&3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to carry out adequate ductwork installation and system design, violated the minimum standard of the North Carolina State Mechanical Code, and created risk of personal injury or property damage. Resolution Conference held 10/25/2011.

William Manuel signed a Resolution Conference Agreement 10/25/2011.

The license of William Van Manuel, number 14208 H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Within sixty (60) days of the approval of this order the contractor shall obtain the services of a Licensed North Carolina Professional Engineer who shall redesign the HVAC systems at 729 Highway 66 South. The contractor shall obtain a permit from the local inspection department, properly install these HVAC systems to meet the minimum standard of the North Carolina Code and the engineer design and obtain a final inspection within 120 days of approval of this order. The contractor shall submit evidence to the board within fifteen (15) days of the final inspection and shall submit a copy of the engineer design. All of the above work shall be performed at the expense of the contractor. If the business owner does not allow the licensee to perform the installation to meet the minimum standard of the North Carolina Mechanical Code, the licensee must get a certified letter from the business owner stating such, and then the licensee shall be relieved of this requirement. Among other things, during the probation, the licensee is required to enroll in and attend the Special Board Laws & rules class. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Marshburn, Mitchell
M. T. Plumbing Contractors, LLC
Wilmington, NC
License# 28927, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee obtained permits for Richard Harris of Cape Fear Rain Water Harvesting, Inc. who did not have a license to contract and install sewer

drain lines at various locations in Caswell Beach, NC, and licensee failed to provide adequate supervision for work performed under his license.

Resolution Conference held 02/15/2012.

Review Committee recommended accepting the signed Proposed Resolution Agreement dated 10/28/2011.

The license of Marshburn Mitchell, number 28927 P-I, and that of the firm shall be placed on supervised probation for a period of 24 months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of one (1) year, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Mascetti, Joseph
A+ Heating & Cooling
Ocean Isle Beach, NC
License# 29693, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee installed improperly sized equipment, and failed to obtain permit(s) prior to commencing work.

Resolution Conference held 02/15/2012.

Joseph Mascetti signed a Resolution Conference Agreement 02/15/2012.

The license of Joseph R. Mascetti, number 29693 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Matthews, Lonnie Ray
Foxfire Village, NC
License# 13756, P-II, H3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee violated the minimum standard of the North Carolina State Mechanical Code, failed to hold the statutorily required three way contract when contracting through a retail merchant, and failed to assure his name, license number and phone appeared on the contract for work through a retail merchant per the statutory requirement.

Resolution Conference held 06/27/2011.

Lonnie Matthews signed Resolution Conference Agreement 06/27/2011.

The license of Lonnie Ray Matthews, number

13756, P-II, H-3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things during the probationary period, Mr. Matthews must also enroll in and attend the Special Board Laws & Rules course prior to the end of the probation period. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

McBride, Posey Willard
Ridgeway, VA
License# 17842, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee presented an Affidavit in support of the examination application of Donald Glenn Walker in which he represented that Mr. Walker worked under his supervision at Rockingham County Schools, although his license was listed in his personal name and not in the name of the school system.

Posey McBride signed a Proposed Resolution Agreement 11/17/2011.

The license of Posey McBride, number 17842 P-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of two (2) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

McCollam, Jeremy
McCollam's Heating & Air Conditioning
Grifton, NC
License# 22495, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to provide adequate supervision for work performed under his license, violated the State Mechanical Code.

Jeremy McCollam signed a Proposed Resolution Agreement 12/02/2011.

The license of Jeremy Lynn McCollam, number 22495 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. The contractor shall return to the home located at 812 Hidden Branches Close, Winterville, NC and perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized equipment with properly sized air

handler(s) and condensing unit(s) and obtain a final inspection by 01/15/2012. The contractor shall submit evidence to the board within 7 days of the final inspection and shall submit a copy of his load calculation. The licensee failed to complete the agreed upon corrections by the deadline of 01/15/2012. The licensee requested and received approval for an additional forty-five (45) days to complete. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of ninety (90) days, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

McCullum, Bradley Wilson
J&B Heating & Air, LLC
Mebane, NC
License# 23518, H2&3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, violated the minimum standard of the North Carolina State Mechanical Code, and failed to install gas piping correctly. Resolution Conference held 07/18/2011. Bradley McCullum signed Resolution Conference Agreement 07/18/2011. The license of Bradley McCullum, number 23518 H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. The licensee is required to enroll in and attend the Special Board Laws & rules class by the end of the probationary period. In the event the licensee violates the conditions of probation, his license will be suspended for a period of two (2) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Meekins, Richard
Richard Meekins Plumbing
Avon, NC
License# 13592, P-I

Allegations of misconduct failed to obtain a permit prior to commencing work, failed to complete job in a timely manner, and failed to respond to consumer in a timely manner/poor business practices. Richard Meekins signed Proposed Resolution Agreement 02/01/2012. The license of Richard Meekins, number 13592 P-I, and that of the firm shall be placed on unsupervised probation for a period of

eighteen (18) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. Within the next 15 days from today, provide to the board and the owner of the above home an itemized list of work to be completed as well estimated completion date for each portion of work to be completed, not to exceed 90 days. If allowed by the homeowner, the licensee shall obtain a permit, and complete this project as well as insure that a passing final inspection is performed by the local inspector within the next 90 days, from 02/01/2012. The licensee did not submit the list of itemized corrections within fifteen (15) days from 02/01/2012. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Melvin, Donald
Melvin's Heating & Air, Inc.
White Lake, NC
License# 29181, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee's installation technician commenced a job for the installation of a complete hvac system in a rental property without his knowledge, a permit was not secured prior to commencement of the work, failed to ensure a room by room heat loss/heat gain calculation for the above listed job had been performed, and failed to obtain a permit prior to commencing work.

Donald Melvin signed a Proposed Resolution Agreement 08/30/2011. Review Committee approved 11/08/2011.

The license of Donald Melvin, number 29181 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee is required to enroll in and attend the Special Board Laws & rules class, return to the home located at 12032 Garland Hwy, Garland, NC 28441 and perform a thorough Manual J load calculation, thoroughly review the installation, correct any and all code violations, and obtain a final inspection by September 16, 2011. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain another permit from the local inspection department, replace the undersized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection by September 16, 2011. The contractor shall submit evidence to the board by September 16, 2011 of the final inspection

and shall submit a copy of his load calculation. Mr. Melvin requested additional time to comply with the requirements at 12032 Garland Hwy in Garland, NC. In the event the licensee violates the conditions of probation, his license will be suspended for a period of ninety (90) days, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Melvin, Donald
Melvin's Heating & Air, Inc.
White Lake, NC
License# 29181, H-3-I

Allegations of misconduct, incompetence, and violation of a prior probation order in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide supervision, failed to perform load calculation and duct design, violated the minimum standard of the North Carolina State Mechanical Code, and violated his probation.

Resolution Conference held 02/17/2012.

Donald Melvin signed a Resolution Conference Agreement 02/17/2012.

The license of Donald Melvin, number 29181 H-2&3-I, and the license of the firm shall be suspended for a period of three (3) months. Among other things during the suspension, the licensee agreed to enroll in and attend the Special Board Laws & Rules by the end of the suspension, and submit to the Board by 04/01/2012, a copy of the permit, final inspection and the load calculation for the job listed in the previous order (12032 Garland Highway, Garland, NC). Upon successful completion of the suspension, the license of Donald Melvin, number 29181 H-2&3-I, and that of the firm shall be placed on supervised probation for a period of eighteen (18) months. In the event the licensee violates the conditions of probation, his license will be suspended for a period of twelve (12) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Messick, Randall Steven
Southeastern Refrigeration Mechanical Contractor
Raleigh, NC
License# 18299, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to obtain the required continuing education hours for the 2011 license renewal and the license was inadvertently renewed without the required continuing education. Mr. Messick was hand delivered a decision by the Resolution Review Committee to allow Mr.

Messick sixty (60) days to obtain the required continuing education hours or have his license expired. As of the date of this Resolution Review Conference Mr. Messick failed to obtain the mandated continuing education hours for 2011.

Resolution Conference held 07/19/2011.

Randall Messick signed Resolution Conference Agreement 07/19/2011.

Metz, Kerry S.

Cape Fear Climate Control, Inc.

Dunn, NC

License# 18129, H-2&3-I

Allegations of misconduct and being unlicensed in the business of heating contracting in that the licensee allowed the use of his license by unlicensed persons.

Resolution Conference held 10/04/2011.

Kerry Metz signed a Resolution Conference Agreement 10/04/2011.

The license of Kerry Metz, number 18129 H-2&3-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months. Among other things, during the probation, the licensee must attend the Special Board Laws & Rules course presented by the Board within six (6) months of approval of this order. In the event the licensee violates the conditions of probation, his license will be suspended for a period of twelve (12) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Meyer, Thomas John

All American Heating & Cooling, L.L.C.

Kill Devil Hills, NC

License# 22354, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee violated the minimum standard of the North Carolina State Mechanical Code, and installed improperly mismatched equipment.

Resolution Conference held 07/19/2011.

Thomas Meyer signed Resolution Conference Agreement 07/19/2011.

The license of Thomas Meyer, number 22354 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. If allowed by the homeowner, within sixty (60) days of the approval of this order the contractor shall obtain a permit from the local code enforcement official, return to the home located at 735 Greenhill Dr., Charlotte, NC, assure that the load calculation for this home has been properly performed, install a properly sized and matched condensing unit, assure that the flue pipe on the gas furnace has the appropriate clearance from a combustible material, assure that the return air duct sizing is proper and repair the two areas of the duct vapor

barrier that are ripped. The contractor shall contact the building owner in advance, arrange a time to perform this work and shall receive a final inspection with the next ninety (90) days. This work shall be performed at the expense of the contractor. In addition, within thirty (30) days of approval of this order the licensee shall reimburse to homeowner Thomas Phal of 341 Irvin Garrish Hwy Ocracoke NC the sum of 225.00 to compensate the homeowner for the improperly installed supply duct that serves the kitchen area that the homeowner paid another contractor to correct. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Montgomery, Raymond

Greensboro, NC

License# 16221, P-I

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee violated the minimum standard of the North Carolina State Plumbing Code, and failed to connect the washer machine and laundry sink drain to the building drain, which allowed waste to be discharged into the crawlspace for a period of about nine years.

Resolution Conference held 10/25/2011.

Raymond Montgomery signed a Resolution Conference Agreement 10/25/2011.

The license of Raymond C. Montgomery, number 16221 P-I, and that of the firm shall be suspended for a period of thirty (30) days. Upon successful completion of the suspension, the license of Raymond Montgomery, number 16221 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee must attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Mulchi, Kenneth

First Choice A/C & Heating, Inc.

Monroe, NC

License #22645, H-3-II

Allegations of misconduct and incompetence in that the licensee failed to provide adequate supervision for work performed under his license, violated the State Mechanical Code, and submitted a quote to an unlicensed contractor to complete for that unlicensed contractor the installation of the heating and air conditioning system which included the

equipment, ductwork, drain, controls, and registers.

Kenneth L. Mulchi signed a Proposed Resolution Agreement on 05/25/2011.

The license of Kenneth L. Mulchi, number 22645, H-3-II, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. In the event the licensee violates the conditions of probation, his license will be suspended for a period of two (2) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

Nelms, Ronald Dale

The Plumbing Shoppe, Inc.

Landis, NC

License# 07254, P-I

Allegations of misconduct in the business of plumbing contracting in the licensee worked outside the limitations of his license when he tied copper piping for the interior geothermal piping loop and the radiant floor system, allowed his license number to be listed on a permit as the contractor when he did not have valid license qualifications, and the following violations of the State Mechanical Code were noted from the investigation: numerous leaks in the geothermal room and well field were discovered; water leaks from geothermal lines; and dissimilar metals were used in geothermal room.

Ronald Nelms signed a Proposed Resolution Agreement 05/25/2011.

The license of Ronald Nelms, number 07254, P-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things during the probationary period, Mr. Nelms must also enroll in and attend the Special Board Laws & Rules course prior to the end of the probation period. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

Nelson, Charles

Nelson's Heating & Air Conditioning

LLC.

Gastonia, NC

License# 13766, PH2&3-I

Allegations of misconduct in the business of plumbing and heating contracting in that the licensee presented an Affidavit in support of the examination application of William Leagon to take the State Heating Group 3 Class I license examination in which he represented that Mr. Leagon was an employee from Marh 5, 2002 through the present. Licensee paid Mr. Leagon on a Form 1099-MISC Form for the years of 2005, 2006, 2007, 2008, 2009, and 2010 without with-

holding taxes in violation of the Board Rule 21 NCAC 50.0512.

Charles Nelson signed a Proposed Resolution Agreement on 05/17/2111.

The license of Charles Nelson, number 13766 PH2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probationary period, Mr. Nelson must enroll in and attend the Special Board Laws & Rules course prior to the end of the probationary period, and shall submit to the Board's office within the next thirty (30) days copies of all employees W-4's and by the end of the probation submit a copy of all employees W-2's. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

New, Christopher Lee
E & E Plumbing
Stella, NC

License# 28794, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to obtain a permit prior to commencing work,

Christopher New signed a Proposed Resolution Agreement 06/21/2011.

The license of Christopher New, number 28794 P-I, shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, Mr. New must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation. Licensee must assure that all installations that have been performed under his license with the Craven County Building Inspection Department that have not received a final inspection within 10 days of substantial completion of work, shall receive an approved final inspections by July 15, 2011. After complaint to the Board, the licensee took care of the open permits and obtained final inspections. In the event the licensee violates the conditions of probation, his license will be suspended for a period of ninety (90) days, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Nolan, Patrick M.
Expert Air, Inc.
Indian Trail, NC
License# 29704, H2, H3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to fully respond to a Board investigation. Resolution Conference held 09/09/2011. Patrick Nolan failed to appear.

Review Committee found that Patrick Michael Nolan, although duly served with the Invitation

Letter, failed to appear at the Resolution Conference scheduled on September 9, 2011; therefore,

the license of Patrick Nolan, number 29704, H2, H3-I shall be suspended until such time as Mr. Nolan appears before the Resolution Review Committee to answer to the following complaint file numbers 2010-1047 and 2011-443.

Osborne, Larry M.
Delcor, Inc. (sublicensee)
Greenville, NC
License# 14359, H2&3-II

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to request inspections within 10 days of substantial completion of work, failed to provide adequate supervision, violated the minimum standard of the North Carolina State Mechanical Code, and failed to perform proper duct design and installation. Resolution Conference held 02/20/2012.

Larry M. Osborne signed a Resolution Conference Agreement 02/20/2012.

The license of Larry Osborne, number 14359 H-2&3-II, and the license of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things during the probation, all licensees of the firm shall enroll in and attend the Special Board Laws & Rules course presented by the Board prior to the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Parker, Ronnie Dale
Lincolnton, NC
License# 19668, H2-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to properly size the equipment which is a violation of GS 87-21 section .0505 when he contracted and performed the change out of a Goodman package unit, and he also failed to properly permit the mechanical installation which is a violation of GS 87-21 section .0402.

Ronnie Parker signed Proposed Resolution Agreement 02/20/2012.

The license of Ronnie Parker, number 19668 H-2-3-I, and that of the firm shall be placed on an unsupervised probation for a period of twelve months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. Parker must assure that the installation noted above

has been permitted and inspected by 03/28/2012, provide a copy of the final inspection and a copy of the load calculations to the board by 04/10/2012. After complaint to the Board, Parker permitted, obtained an approved final inspection, and submitted a copy of the load calculation to the Board's office. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Parks, Scottie K.
Parks Plumbing
Concord, NC
License# 20620, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee signed the examination application of Lawrence R. Haywood in which he represented that Haywood was an employee of Parks Plumbing from January 2006 through January 2007 and from August 2009 until the date his signature on the application form in violation of the Board rule 21 NCAC 50.0512.

Resolution Conference held 10/26/2011

Review Committee approved Proposed Resolution Agreement dated 06/28/2011.

The license of Scottie Parks, number 20620 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee is required to enroll in and attend the Special Board Laws & rules class. Mr. Parks is required to submit to the Board's office within thirty (30) days copies of all employee W-4's and by the end of the probation submit a copy of all employee W-2's. Mr. Parks did not submit to the Board's office copies of all employee w-4's within 30 days. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements. Prior to the deadline, licensee submitted a statement that he does not have any employees.

Patillo, Gregory Anthony
Performance Air, Inc.
Charlotte, NC
License# 11270, H2, H3-I

Allegations of misconduct in the business of heating contracting in that the licensee presented an Affidavit in support of the examination application of Jeffrey Walker in which he represented that Walker was an employee. Licensee paid Mr. Walker on a Form 1099-MISC Form without withholding taxes in violation of the Board rule 21 NCAC 50.0512

Gregory Patillo signed a Proposed Resolution Agreement 07/11/2011.

The license of Gregory Anthony Patillo, number 11270 H2&H-3-I, shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, Mr. Patillo must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation. The licensee must also submit to the Board's office within the next thirty (30) days copies of all employee W-4's and by the end of the probation submit a copy of all employee W-2's. After complaint to the Board, the licensee submitted a notarized statement attesting he does not have any employees. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Pernell, Carlton G.

Pernell, Inc.

Smithfield, NC

License# 07401, H1, 2&3-I

Allegations of misconduct, incompetence, and being unlicensed in the business of heating contracting in that the licensee contracted and performed work outside current licensing qualifications, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, and violated the minimum standard of the North Carolina State Plumbing Code.

Resolution Conference held 11/16/2011.

Carlton Pernell signed a Resolution Conference Agreement 11/16/2011.

The license of Carlton Pernell, number 7401 H1,2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Pham, Quy Dinh

Excel Cooling & Heating Service

Pineville, NC

License# 24317, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee allowed his license number to appear on a permit on a job where he did not hold the contract with the homeowner or general contractor and did not receive the contractual payment for the job.

Quy Pham signed a Proposed Resolution

Agreement 01/20/2011 .

Proposed Resolution Agreement referred to Review Committee for a conference.

Review Committee recommended accepting the Proposed Resolution Agreement.

The license of Quy Pham, number 24317, H-3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things during the probationary period, Mr. Pham must also enroll in and attend the Special Board Laws & Rules course prior to the end of the probation period, and refrain from selling or purchasing HVAC equipment from unlicensed persons. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

Pickenpaugh, Randall Allen

ATH Service Group

Asheville, NC

License# 21689, H3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee violated the State Mechanical Code and the following code violations were noted: Improperly installed flex duct- not properly supported and excessive amount of duct utilized, improper seal on duct work- inner liner not properly sealed, unlisted duct tape- not UL approved, failed to properly connect flex duct over beam, no trap on condensate line, no primer utilized on condensate line, and the dryer vent improperly vented.

Randall Pickenpaugh signed a Proposed Resolution Agreement 07/22/2011.

The license of Randall Pickenpaugh, number 21689, H-3-I, shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, the licensee must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Powell, Larry O'Max

Goldsboro, NC

License# 02119, P-I

Allegations of misconduct and being unlicensed in the business of plumbing in that the licensee contracted and performed work for the installation of a water supply line and the installation of a 40 gallon water heater while his license was expired, and failed to renew his license in a timely manner.

Larry Powell signed a Proposed Resolution

Agreement 08/31/2011.

Review Committee approved 11/07/2011.

The license of Larry Powell, number 02119 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee is required to enroll in and attend the Special Board Laws & rules class, and assure that he has his license renewed prior to the expiration of the license on December 31st of each year. In the event the licensee violates the conditions of probation, his license will be suspended for a period of ninety (90) days, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Prescott, Josiah Thomas

Busy Bee Service Company

Cedar Point, NC

License# 22630, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, violated the minimum standard of the North Carolina State Building Code, and engaged in business under a different name or style of business than appears on his license.

Resolution Conference held 07/20/2011.

Josiah Prescott signed Resolution Conference Agreement 07/20/2011.

The license of Josiah Prescott, number 22630 H-3-II, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, the licensee must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Price, Jerry M.

Jerry's Heating & Air

Asheville, NC

License# 20346, P-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to size the equipment as required by GS 87-21, NCAC Section 50.0505(f), violated the State Mechanical Code, and failed to obtain a final inspection.

Jerry Price signed a Proposed Resolution Agreement 12/01/2011.

Review Committee approved 12/05/2011.

The license of Jerry Price, number 20346 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things,

during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. By 12/15/2011, the licensee shall return to 28 Westview Ln. and perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection. The contractor shall submit evidence to the board by December 30th, 2011 of the permit, final inspection and shall submit a copy of his load calculations; return to this home by December 15th, 2011 and correct any and all code violations that still exist. Contact the homeowner in advance and arrange a time to perform this work. Assure the installation passes final inspection by December 20, 2011. The contractor shall submit evidence to the board by December 30th, 2011 of the final inspection. After complaint to the Board, the licensee completed the load calculation and received an approved final inspection. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Radford, William Joseph
Radford HVAC
Clayton, NC
License# 22024, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to perform a load calculation for the replacement of a 3 ton package unit, failed to ensure proper system operation, and violated the State Mechanical Code. William Joseph Radford signed a Proposed Resolution Agreement 04/27/2011. Resolution Conference held 07/18/2011. Review Committee recommended to accept the Proposed Resolution Agreement. The license of William Joseph Radford, number 22024 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. The licensee is required to enroll in and attend the Special Board Laws & rules class by the end of the probationary period. Within 30 days from the date of this agreement, the contractor shall return to the home located at 308 Groundsel Pl Clayton NC, and perform a thorough Manual J load calculation and provide a copy of this load calculation to the board. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized equipment with

properly sized air handler(s) and condensing unit(s) and obtain a final inspection within 60 days of approval of this order. The contractor shall submit evidence to the board within 15 days of the final inspection and shall submit a copy of his load calculation. After complaint to the Board, the licensee submitted a load calculation to the Board's office. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Ramsey, Randle
Trent Heating & Air
New Bern, NC
License# 14860, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain final inspections in a reasonable timeframe, violated the minimum standard of the North Carolina State Mechanical Code, failed to perform work in compliance with the written contract with the homeowner, and failed to provide adequate supervision.

Resolution Conference held 02/21/2012. Randle Ramsey signed a Proposed Resolution Agreement 02/21/2012. The license of Randle Ramsey, number 14860 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Reavis, Gary
Environmental Air Corporation
Charlotte, NC
License# 14861, PH-1,2&3-I (sublicensee)

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to perform load calculation, violated the minimum standard of the North Carolina State Mechanical Code, and failed to request inspections within 10 days of substantial completion of work.

Resolution Conference held 03/23/2012. Gary Reavis signed a Resolution Conference Agreement 03/23/2012.

The license of Gary Reavis, number 14861 PH-1, 2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws &

Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Reinhardt, Joby
Dean's Heating and Air Conditioning,
Inc.

Hickory, NC
License# 15398, H-3-I

Allegations of misconduct, incompetence, and violation of a prior probation order in that the licensee violated the probation order approved by the Board on 11/09/2010, failed to obtain permit(s) prior to commencing work, violated the minimum standard of the North Carolina State Mechanical Code, and performed work outside current licensing qualifications.

Resolution Conference held 10/27/2011. Joby Reinhardt signed Resolution Conference Agreement on 10/27/2011.

The license of Joby Reinhardt, number 15398, H-3-I, and that of the firm shall have the current disciplinary probation extended until May 9, 2013. In the event the licensee violates the conditions of probation, his license will be suspended for a period of twelve (12) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Rider, Stephen Craig
Charlotte Air Experts
Charlotte, NC
License# 28891, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to call for a re-inspection, and violated the State Mechanical Code.

Stephen Rider signed a Proposed Resolution Agreement 08/09/2011.

The license of Stephen Rider, number 28891, H-3-I, shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, the licensee must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation. By August 20th, 2011, correct any and all code violations that still exist. Contact the homeowners in advance and arrange a time to perform this work, and receive a final inspection by August 27th, 2011. After complaint to the Board, Mr. Rider completed the corrections on the furnace installation and received an approved final inspection. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior

to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Ritchie, James
Five Star Heating & Cooling, Inc.
Indian Trail, NC

License# 29449, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to provide adequate supervision, failed to carry out adequate ductwork installation and system design, violated the minimum standard of the North Carolina State Mechanical

Code, and the Resolution Review Committee could not fully determine what the actual caused was of the reported mold issues since there are conflicting engineering reports, but the committee does feel that the HVAC installation had an impact on the moisture problems.

Resolution Conference held 01/19/2012.

James Ritchie signed a Resolution Conference Agreement 01/19/2012.

The license of James Ritchie, number 29449 H-3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Rivenbark, Jackie Paul
Goldsboro, NC

License# 11566, P-II, H3-I

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to provide adequate supervision for work performed under his license, and failed to comply with the Board rules and regulations on bona-fide employees.

Jackie Rivenbark signed a Proposed Resolution Agreement 07/07/2011.

The license of Jackie Rivenbark, number 11566, P-II, H-3-I, and the license of the firm shall be suspended for a period of ninety (90) days. Upon successful completion of the suspension, the license of Jackie Rivenbark, and that of the firm shall be placed on probation for a period of 12 months. The licensee must enroll in and attend the Special Board Laws & Rules course presented by the Board prior to the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Rogers, James Carlton
Flow Master Plumbing & Pump Service, Inc.

Oxford, NC

License# 21658, P-I

Allegations of misconduct and being unlicensed in the business of plumbing contracting in that the licensee failed to obtain permit (s) prior to commencing work, and contracted and performed work outside current licensing qualifications.

Resolution Conference held 03/31/2011.

Additional complaints filed/ referred back to Administrative Officer for investigation.

2nd Resolution Conference held 11/14/2011. Review Committee approved Proposed Resolution Agreement dated 03/31/2011.

The license of James Carlton Rogers, number 21658 P-II, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, by the end of the probation take and pass the Plumbing Class I license, enroll in and attend the Special Board Laws & rules class. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Settle, Avery Charles
Affordable Comfort Systems, Inc.
Mooreville, NC

License# 16886, H2& H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee presented an affidavit in support of the examination application of Travis Edward Donaldson in which he confirmed the experience for Mr. Donaldson. The affidavit represented that Travis Edward Donaldson was an employee of Affordable Comfort Systems from 2005 through 2010. Licensee, without knowledge that he was violating North Carolina General Statute 87, Article 2, 21 NCAC 50 Section .0512, paid Mr. Whitson on a Form 1099-MISC Form without withholding taxes for the years of 2005 through 2010.

Avery Settle signed a Proposed Resolution Agreement 1/19/2012.

The license of Avery Settle, number 16886 H2-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee is required to enroll in and attend the Special Board Laws & rules class. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Settle, David E.
Settle Heating-Air Conditioning, Inc.
Shelby, NC

License# 19680, H-2&3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to obtain a permit prior to commencing work.

David E. Settle signed a Proposed Resolution Agreement 09/20/2011.

Review Committee approved 11/11/2011.

The license of David E. Settle, number 19680 H2-3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things, by the end of the probation the licensee shall enroll in and attend the Special Board Laws & rules class. Assure that the installations at 707 South Lafayette St. has permitted and inspected by 09/27/2011. Provide a copy of the final inspection and a copy of the load calculations to the board by

09/30/2011. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Simber, Adam Jason
Mebane, NC

License# 29651, P-I

Allegations of misconduct in the business of heating contracting in that the licensee allowed the use of license by listing the license with a firm, but not being a full-time employee of the firm, submitted a Trade Name Change form acknowledging that the licensee was to be a full-time employee, but ended up being a subcontractor, and failed to sign contracts.

Resolution Conference held 11/15/2011.

Adam Simber signed a Resolution Conference Agreement 11/15/2011.

The license of Adam Simber, number 29651 P-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, during the probation, the licensee must only list his license in the name of a firm if the licensee is employed full-time with the firm, and enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Sloop, Stanley
S. A. Sloop Htg. & Air Cond., Inc.
Charlotte, NC

License# 19627, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that

the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide adequate supervision, violated the minimum standard of the North Carolina State Mechanical Code, and contracted and performed work outside current licensing qualifications.
Resolution Conference held 03/22/2012.
Stanley Sloop signed a Resolution Conference Agreement 03/22/2012.
The license of Stanley Sloop, number 19627 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Smiley, Jeffery Dale
Climatech Heating & Cooling, Inc.
Denver, NC
License# 23277, H2&3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to install a system as per drawings, failed to perform installations in compliance with the NC Mechanical Code, and obtained a permit that covered the complete mechanical installation though only contracted for a portion of the installation.
Resolution Conference held 06/07/2011.
Jeffery Smiley signed a Resolution Conference Agreement 06/07/2011.
The license of Jeffery Smiley, number 23277 H2&3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things during the probationary period, Mr. Smiley must enroll in and attend the Special Board Laws & Rules course prior to the end of the probationary period. In the event the licensee violates the conditions of probation, his license will be suspended for a period of thirty (30) days, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

Smith, John C.
Burleson Plumbing and Heating Company (sub licensee)
Spruce Pine, NC
License# 13045, PHI-2&3-I

Allegations of misconduct and incompetence in the business of plumbing and heating contracting in that the radiant floor tubing system design was done by Burleson Plumbing and Heating Company, but the licensee allowed an unlicensed contractor to use his

license to perform the installation in violation of North Carolina General Statute 87-21, Section .0403, and failure to meet minimum building code by failing to ensure that the radian floor system and geothermal heat pump were properly installed and functioning as designed in violation of NCGS 87-21, Section .0505 (b).

John C. Smith signed a Proposed Resolution Agreement 09/13/2011.
Review Committee approved 11/09/2011.
The license of John C. Smith, number 13045 PHI, 2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee is required to enroll in and attend the Special Board Laws & rules class, and return to this home by 10/01/2011 and correct any and all code violations and operational issues that still exist. Contact the homeowner in advance and arrange a time to perform this work. Prior to commencing any work, obtain a permit from the local code enforcement official and receive a final inspection by 10/10/2011. After complaint to the Board, the licensee completed the installation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Stamey, Ronald Lee
Stamey Heating and Air
Marion, NC
License# 13889, H-3-I, P-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to obtain a permit for the replacement of a high limit switch on the furnace and for the addition of dampers to the ductwork in violation of GS 87-21, section .0402, and violated the State Mechanical Code in the following areas: improper seal on the flex duct, flex duct was improperly supported, the flex duct was restricted, the licensee failed to utilize primer on the condensate line, failed to properly install the arma-flex on the refrigerant line, and improper duct design.
Ronald Lee Stamey signed a Proposed Resolution Agreement 12/21/2011.
The license of Ronald Lee Stamey, number 22495 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. Return to the property at 455 Blue Mist Way, complete a manual D; properly design and install the duct system and correct any and all code violations and issues that still exist. Contact the homeown-

er in advance and arrange a time to perform this work. Assure the modifications to the mechanical system pass final inspection by 01/22/2012. The contractor shall submit evidence to the board by 01/30/2012 of the manual D and the final inspection.
In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Street, Jeffrey Scott
Greenway Irrigation, Inc.
Raleigh, NC
License# 21317, P-II

Allegations of misconduct and working without a license in the business of plumbing contracting in that the licensee contracted and performed work in the name of Greenway Irrigation while license was listed in his personnel name, and contracted and performed the replacement of a damaged back flow preventer for an existing irrigation system for a commercial building which was outside of his license qualification.
Jeffrey Street signed a Proposed Resolution Agreement 12/22/2011.
The license of Jeffrey Street, number 21317 P-II, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. Within the next (10) business days from today, licensee must assure that his license has been listed with the Board in the name he currently operates his business. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Stroup, Eddie Dean
Stroup Heating & A/C
Shelby, NC
License# 17238, H-3-I

Allegations of misconduct, incompetence, and selling his license in the business of heating contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide adequate supervision, obtained a permit and allowed his license number to appear on a permit on a job where the licensee did not hold the contract with the homeowner or general contractor and did not receive the contractual payment for the job, and allowed the use of his license by unlicensed persons.

Resolution Conference held 01/19/2012. Eddie Stroup signed a Resolution Conference Agreement 01/19/2012.

The license of Eddie Stroup, number 17238 H-3-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of twelve (12) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

**Suggs, Kenneth S.
Rougemont, NC**

License# 16908, H-3-I

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to obtain a permit prior to commencing work for the installation of (2) HVAC systems to replace existing systems, failed to obtain a permit for the installation of (1) tank-less water heater, and engaged in business under a different name or style of business than appears on his license.

Kenneth Suggs signed a Proposed Resolution Agreement 09/27/2011.

Review Committee approved 11/17/2011.

The license of Kenneth S. Suggs, number 16908 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee is required to enroll in and attend the Special Board Laws & rules class, and shall insure that a final inspection be performed for the mechanical installation at 713 Walcott Way in Cary, NC by the local inspector within the next 10 days. After complaint to the Board, the licensee obtained a final inspection. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

**Takes, Michael
The Water Heater Experts, LLC
Charlotte, NC**

License# 14802 P-I

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee failed to provide adequate supervision, violated the minimum standard of the North Carolina State Plumbing Code, operated multiple office with the use of only one license, and failed to obtain permit(s) prior to commencing work.

Resolution Conference held 09/08/2011.

Michael Takes signed Resolution Conference

Agreement 09/08/2011.

The license of Michael Takes, number 14802 P-I, and the license of the firm shall be placed on unsupervised probation for a period of twenty-four (24) months. Within thirty (30) days of the approval of this order the licensee shall submit to the Board a list of all homeowner names and addresses for water heater installation or replacements have been performed under his license during the past 24 months. The list shall indicate which jobs were permitted and which job were performed without a permit as well as an indication as to which of the jobs that did not have permits that were personally reviewed by the licensee (Michael Takes). All of the water heater installations and replacements that were not reviewed by the licensee at the completion of the installation shall be permitted by the local inspection department, reviewed by the licensee to assure that the installation complies with the code and receive a final inspection within one-hundred twenty (120) days of approval of this order. The licensee shall submit evidence of final inspections within thirty (30) days of obtaining any final inspection. The licensee must enroll in and attend the Special Board Laws & Rules course presented by the Board prior to the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

**Taylor, Terry Blake
Blake Air**

**Lincolnton, NC
License# 21336 H-2&3-I**

Allegations of misconduct in the business of heating contracting in that the licensee contracted work while license was expired, engaged in business under a different name or style of business than appears on his license, and failed to update the license record to display an accurate phone number.

Resolution Conference held 09/08/2011.

Terry Taylor signed Resolution Conference Agreement 09/08/2011.

The license of Terry Taylor, number 21336 H-2&3-I, and the license of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Within thirty (30) days of 09/08/2011, the licensee agreed to obtain the required continuing education hours and renew his license to active status, the licensee must enroll in and attend the Special Board Laws & Rules course presented by the Board prior to the end of the probation, and assure that he has renewed his license prior to the expiration of the license on December 31st of each year. In the event the licensee violates the conditions of proba-

tion, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

**Tsangarides, Nicholas
C.T. & Sons Plumbing, Inc.
Charlotte, NC**

License# 16918, P-I

Allegations of misconduct in the business of plumbing contracting in the licensee engaged in business under a different name or style of business than appears on his license.

Nicholas Tsangarides signed a Proposed Resolution Agreement 05/03/2011.

The license of Nicholas Tsangarides, number 16918, P-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things during the probationary period, Mr. Tsangarides must also enroll in and attend the Special Board Laws & Rules course prior to the end of the probation period. In addition, by 05/10/2011, the licensee must assure that his license has been listed with the Board in the name he currently operates his business. On 05/04/2011, the licensee submitted and received approval to have his license listed in the name of C.T. and Sons Plumbing out of Oak Island, NC. In the event the licensee violates the conditions of probation, his license will be suspended for a period of ninety (90) days, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

**Walker, James R.
Alexander, NC
License# 10658, P-I**

Allegations of misconduct in the business of plumbing contracting in that the licensee allowed the use of his license by unlicensed persons, and left his license listed in the firm for over two (2) years and was not involved with the firm.

Resolution Conference held 11/16/2011.

James R. Walker signed a Resolution Conference Agreement 11/16/2011.

The license of James R. Walker, number 10658 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Wall, Chadwick Leon
Dan River Oil Company
Madison, NC
License# 20186, H-3-II

Allegations of misconduct in the business of heating contracting in that the licensee failed to obtain permits prior to commencing work. Chadwick Wall signed a Proposed Resolution Agreement 07/06/2011.

The license of Chadwick Wall, number 20186 H-3-II, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. The licensee must assure that all installations that have been performed under his license that have not been permitted or inspected shall receive an approved final inspections within 60 days of the date of this agreement. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Warren, Douglas P.
Lake Wylie Heating & Air Conditioning
York, SC
License# 22391, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee violated the State Mechanical Code, failed to provide adequate supervision for work performed under his license by not visiting the worksite, and allowed an employee, who was licensed, to assist him with supervision but the employee's license was not listed in the name of the company name of Lake Wylie Heating & Air.

Douglas Warren signed a Proposed Resolution Agreement 09/29/2011.

The license of Douglas Warren, number 22391 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. In the event the licensee violates the conditions of probation, his license will be suspended for a period of two (2) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Westbrook, Johnny
Westbrook Plumbing
Pink Hill, NC
License# 08042, P-I

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee failed to provide adequate supervision, violated the minimum standard of the North Carolina State Plumbing Code, and allowed the use of license by unlicensed person by issuing 1099's to an unlicensed em-

ployee.

Resolution Conference held 02/21/2012.

Johnny Westbrook signed a Proposed Resolution Agreement 02/21/2012.

The license of Johnny Westbrook, number 08042 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. Within the next ten (10) days from 02/21/2012, the licensee must assure that his license has been listed with the Board in the name that he currently operates his business. After complaint to the Board, the licensee submitted a trade name change to have the license issued in the name of Westbrook Plumbing. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Wheeler, John
Wilmington, NC
License# 19261, FS

Allegations of misconduct and incompetence in the business of fire sprinkler contracting in that the licensee failed to obtain a permit prior to commencing work, failed to provide adequate supervision for work performed under his license, failed to request final inspection within 10 days of substantial completion of the work, and the following code violations were recorded at the job site: 1) 2-3 smoke barrier walls had been penetrated by large openings for a 6 inch main sprinkler pipe; Openings were approximately 24 inches x 18 inches in size and the workmanship on the job was very poor; and, 2) 16 cross braces for truss system had been cut for the installation of fire sprinkler piping.

Resolution Conference held 02/21/2012.

Review Committee accepted written request from John Wheeler to surrender his license.

The license of John W. Wheeler, license number 19261 FS, shall be surrendered and that acceptance of the surrender of the license shall be considered as a revocation of the license. This decision was based on the letter from Mr. Wheeler, dated 09/27/2011, and the documentation contained in complaint file number 2011-809.

Whitaker, Michael
Empire Heating & Cooling, LLC
Indian Trail, NC
License# 29813, H-3-II

Allegations of misconduct, incompetence, and violation of probation order approved on 10/10/2009 in the business of heating contracting in that the licensee violated the previous probation, failed to obtain permit(s)

prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, and violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 06/08/2011. Michael Whitaker signed a Resolution Conference Agreement 06/08/2011.

The license of Michael A. Whitaker, number 29813 H-3-II, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months. Among other things during the probationary period, Mr. Whitaker must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation period. In the event the licensee violates the conditions of probation, his license will be suspended for a period of twelve (12) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

White, Joe Elvis
Advanced Appliance & Air
Youngsville, NC
License# 29298, H-3-II

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to pull the required permit and have the installation of a Goodman package unit inspected as required by North Carolina General Statute 87-21, 21 NCAC Section .0402, engaged in business under a different name or style of business than appears on his license, violated the State Mechanical Code by in the following areas: failed to rodent proof unit, improper seal/rain shield on house, gas line was not painted, and condensate line- no primer utilized.

Joe Elvis White signed a Proposed Resolution Agreement 05/12/2011.

The license of Joe White, number 29298 H-3-II, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. By 05/20/2011, the licensee agreed to return to the home located at 9248 Miranda Drive, Raleigh, NC and perform a thorough Manual J load calculation. If the load calculation revealed that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection 05/30/2011. The contractor shall submit evidence to the board with 15 days of the final inspection and shall submit a copy of his load calculation. After complaint to the Board, the licensee submitted the load calculation and proof of an approved final inspection.

tion. In the event the licensee violates the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Williams, Dennis Ray
Comfort Heating & Cooling
Jacksonville, NC
License# 18530, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to provide adequate supervision for work performed under his license, and failed to ensure that a proper heat loss/heat gain calculation was performed to confirm equipment size.

Resolution Conference held 02/16/2012.

Review Committee recommended accepting the signed Proposed Resolution Agreement dated 09/29/2011. The license of Dennis Ray Williams, number 18530 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules by the end of the probation. Within 14 days from 09/29/2011, the contractor shall return to the home located at 2298 Knollwood Ln., Midway Park, NC 28544, NC and perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection within 30 days from 09/29/2011. The contractor shall submit evidence to the board within 10 days of the final inspection and shall submit a copy of his load calculation. After complaint to the Board, the licensee completed the Manual J load calculation, obtained a permit and an approved final inspection. In the event the licensee violates the conditions of probation, his license will be suspended for a period of ninety (90) days, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Wood, Thomas Branson
Canton, SC
License# 17740, H1&3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee contracted work while his license was expired, received money and failed to complete his contractual obligations, failed to pull the required permit for the installation of the mechanical system, and failed to complete a load calculation.

Thomas Branson Wood signed a Proposed

Resolution Agreement 05/20/2011.

The license of Thomas Branson Wood, number 17740 H-1&3-I, and that of the firm shall be placed on supervised probation for a period of eighteen (18) months. Among other things during the probationary period, Mr. Wood must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation period. Prior to re-activating his license, Mr. Wood agreed to provide the Board with a receipt documenting that restitution in the amount of \$1250.00 has been paid to the property owner at 1026 Patton St. In the event the licensee violates the conditions of probation, his license will be suspended for a period of nine (9) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

Worrell, Troy Allen
Carolina Air Conditioning Company,
Inc.

Durham, SC
License# 29319, H3-I

Allegations misconduct in the business of heating contracting in that the licensee failed to obtain permits prior to commencing work, and failed to request final inspection within 10 days of substantial completion of the work.

Troy Allen Worrell signed a Proposed Resolution Agreement 05/18/2011. The license of Troy Allen Worrell, number 29319 H3-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other things during the probationary period, Mr. Worrell must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation period. Licensee must assure that all installations that have been performed under his license that have not been permitted or inspected shall receive approved final inspections within 30 days. After complaint to the Board, Mr. Worrell completed the final inspections for jobs listed with the City of Durham Inspections Department. In the event the licensee violates the conditions of probation, his license will be suspended for a period of nine (9) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

Yandle, Richard
Conover, NC
License# 14136, H-3-II

Allegations of misconduct in the business of heating contracting in that the licensee failed to obtain the required mechanical permit for the mechanical installation of a 2 ton Goodman 16 SEER heat pump system, which is a violation of GS 87-21, section .0402, no proper license to obtain the required electrical permit for this installation, failed to perform a

load calculation for the installation, which is a violation of GS 87-21, .0505, and violated the State Mechanical Code.

Richard Yandle signed Proposed Resolution Agreement 02/09/2012. The license of Richard Yandle, number 14136 H-3-II, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course by the end of the probation. By 02/23/2012, the licensee agreed to return to the property at 1732 10th Ave. and perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection. The contractor shall submit evidence to the board by 03/04/2012 of any permit, final inspections and shall submit a copy of his load calculation. Contract with a properly licensed electrical contractor to pull the required electrical permit and assure that the wiring of the heat pump meets minimum building code standards, at no cost to the homeowner. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee must comply with all of the probation provisions.

Young, Michael Curtis
Utility Partners of America, NC, LLC
Greenville, SC

License# 22823, P-I

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, violated the minimum standard of the North Carolina State Plumbing Code, and failed to provide supervision.

Resolution Conference held 06/09/2011.

Michael Young signed a Resolution Conference Agreement 06/09/2011.

The license of Michael Curtis Young, number 22823 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probationary period, Mr. Young must enroll in and attend the Special Board Laws & Rules course prior to the end of the probation period. In the event the licensee violates the conditions of probation, his license will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions.

ANGLE, MACK H.
d/b/a MOUNT AIRY REFRIGERATION
Mount Airy, NC

Heating contracting without a license. Summons and complaint filed 11/23/11. Permanent injunction filed 1/26/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

ARISIAN, GAREN JACK
d/b/a AMERIGAS PROPANE
Davidson NC

Heating contracting without a license. Complaint and Summons filed 6/8/11. Service obtained 7/1/11. Consent Permanent Injunction Judgment filed 10/14/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

BAER, GREGORY GEORGE
Newton NC

Heating contracting after revocation of license on 12/22/10. Complaint and summons filed 8/2/11. Service obtained 8/10/11. Permanent Injunction Judgment filed 11/21/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

BENSON, DONNIE LEE, JR.
Leicester NC

Plumbing contracting without a license. Complaint and summons filed 8/4/11. Service obtained 8/16/11. Judgment of Permanent Injunction filed 11/9/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

BERCKMAN, PHILLIP SHANE
d/b/a BERCKMAN CAR WASH
Gastonia NC

Heating contracting without a license. Complaint and Summons filed 6/7/11. Permanent Injunction Judgment filed 7/18/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

BEST, RICHARD ALLEN
d/b/a LAVON'S HEATING & AIR
CONDITIONING
Myrtle Beach SC

Heating contracting without a license. Complaint and Summons filed 6/7/11. Permanent Injunction Judgment filed 8/18/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

BLANTON, TONY MARION
d/b/a BLANTON HEATING & AIR
Wilmington, NC

Heating contracting without a license in violation of prior order of the Court. Contempt hearing held 9/20/11 in New Hanover County Superior Court. Order of Arrest for Failure to Appear filed 10/6/11. Hearing held 12/7/11. Order of Contempt and Arrest filed 12/8/11 finding Defendant in contempt of prior Order of the Court and sentencing him to 15 days in the New Hanover County Jail.

BURDETTE, MARK ANTHONY
d/b/a MARK BURDETTE PLUMBING
Hampstead NC

Plumbing contracting without a license. Summons and complaint mailed 1/24/12. Defendant served 1/30/12. Permanent Injunction Judgment filed 3/23/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

CAGLE, KENNETH RAY
d/b/a COMFORT SOUTH, LLC
Star NC

License #23993 H-3-I
 Code violations and misconduct in the business of heating contracting in that Respondent installed ductwork in crawlspace less than 4" above the ground; an abandoned supply duct connection was improperly sealed and insulated; 10" supply collar was used to connect a 10" supply duct to 14" supply duct; failed to properly seal insulated elbow; failed to level unit; failed to properly insulate refrigerant line; supply duct connection installed in attic showed signs of restriction; failed to tape duct connections to color on supply lines; and failed to use collar on supply duct in joint connection. Respondent failed to note the presence of the code problems to the homeowner and did not correct the problems. Respondent undertook to make corrections including the elimination of the upstairs zone. The consequences were severe temperature differences failing to meet long-established standards of competence. Respondent failed to diagnose and correct the oversized equipment and installation deficiencies despite being involved with the project over the course of three years. Formal hearing held 7/12/11. Order issued 7/22/11 placing the license of Respondent on unsupervised probation for 12 months with provisions that he maintain a written record of contracts made and installations performed; maintain a service log of all contracts and service calls by date of initial call and including the date of first response; maintain job files or other written records of contracts made and installations performed; have written contracts signed by the Re-

spondent and customer for each installation for which Respondent is responsible; obtain permits as required for each contract prior to commencement of work; and commit no violation of Article 2, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board.

CALDWELL, WILLIAM
d/b/a ALLSTATE HEATING & COOLING
Charlotte NC

Heating contracting without a license. Complaint and summons filed 6/30/11. Judgment of Permanent Injunction filed 12/14/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

CASTILLO, ALONSO
d/b/a AAA All in A Call
Matthews NC

Heating contracting without a license. Summons and Complaint filed 1/25/11. Permanent Injunction Judgment filed 9/15/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

D'AMICO, SAVERIO A.
and ALEX HEATING & AIR CONDITIONING
Apex NC
License #29967 H-3-I

Code violations and misconduct in the business of heating contracting Respondent is the holder of License No. 29967 H-3-II. At the time of the installations in question, the license of Respondent was issued in the name of Alex Heating & Air. Respondent's H-3-II license does not permit him to contract or perform the installation of heating group III systems except for single family detached residential dwellings per N.C.G.S 87-21(b). On or about February 21, 2010, Kenneth Scott Mann, doing business under the name of Mann's Heating & Air Conditioning, contracted with Graham Fann to install and installed a heating group 3 system consisting of removal of the previously existing HVAC unit and the installation of a 4-ton split HVAC system including the installation of new return duct at 1630 Ernest Williams Road, Roseboro, N.C., for the contract sum of \$5,560.00. Kenneth Scott Mann received payment for the installation and performed the necessary work. Respondent permitted use of his license in connection with acquisition of permit for performance of said contract even though Respondent was not a party to the contract. On or about August 2, 2010, Kenneth Scott Mann, doing business under the name, Mann's Heating & Air Conditioning, contracted with the Chapel Hill Baptist Church to install a heating group 3

system consisting of the replacement of the existing system for this commercial job located at 1450 Silverton Road, Autryville, N.C. for valuable consideration. Respondent permitted the use of his H-3-II license in connection with the acquisition of a permit for said project even though he lacked the proper classification of license. Respondent failed to ensure a final inspection was requested within ten days of substantial completion of said work. Respondent has failed to properly supervise work performed by Mann's Heating & Air Conditioning given his lack of familiarity with jobs performed under his license. Formal hearing held 7/12/11.

Order issued 7/22/11 suspending the license of Respondent for 6 months, and after completion of suspension placing the license on probation for 12 months with provisions that Respondent maintain a written record of contracts made and installations performed; maintain a service log of all contracts and service calls by date of initial call and including the date of first response; maintain job files or other written records of contracts made and installations performed; have written contracts signed by the Respondent and customer for each installation for which Respondent is responsible; obtain permits as required for each contract prior to commencement of work; within six (6) months after this Order becomes effective, the Respondent shall enroll in the Special Board Laws and Rules course approved by the Board's Executive Director and present evidence to the staff of the Board of a passing grade in such course by the end of the period of probation. The Board's staff will notify the licensee of the date and location of the approved course; during the period of probation, Respondent shall submit quarterly reports documenting his compliance with the provisions of this probation order by either sending them directly to the Board's office or contacting the Board's Field Representative that the documents are ready for his review; and, commit no violation of Article 2, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board.

DEAN, CHRISTOPHER SCOTT
d/b/a **ABSOLUTE HEATING & AIR**
Clayton NC

Heating contracting without a license in violation of prior Order of the Court. Contempt hearing held 7/25/11. Defendant found guilty of contempt of Court and placed under a suspended sentence and directed to pay a fine and refund all money to the property owner.

DOUTHIT, BERNIE
Iron Station NC

Heating contracting without a license. Permanent Injunction Judgment entered

5/19/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

DUNN, LONNIE L.
d/b/a **DUNN AC**

Heating contracting in violation of prior order of the Court. Hearing on failure to appear for jail sentence scheduled 12/12/11.

Order of Contempt and Arrest filed 12/28/11 finding Defendant in contempt of court and sentencing him to 4 days in the Stanly County Jail.

ELLISON, ELLISON L.
d/b/a **E CAROLINA HEATING AND**
AIR CONDITIONING, INC.
Fayetteville NC

Heating contracting without a license after revocation of license on 5/24/10.

Defendant served 5/25/11. Order Granting Summary Judgment filed 8/29/11 permanently enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so and taxing Defendant with Court Costs in this action.

ETHERIDGE, RICKY
Elizabeth City NC

Heating contracting without a license. Permanent Injunction Judgment filed 5/23/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

FOWLER, DARREN SHANE

d/b/a **BEAUTIFUL LAWNS**
Franklinton NC

Plumbing contracting without a license. Mailed Summons and Complaint for filing 12/5/11. Service obtained. Mailed consent order to defendant 1/9/12. Motion for Default judgment filed 3/2/12. Default Judgment filed 4/5/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

HARRIS, RICHARD ADRAIN
d/b/a **CAPE FEAR RAIN WATER HAR-**
VESTING
Wilmington NC

Plumbing contracting without a license. Summons and complaint filed. Service obtained. Permanent Injunction Judgment filed 3/14/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

HAWLEY, RONALD J.
d/b/a **SHINING ROCK, INC.**
Franklin NC

Plumbing contracting without a license. Summons and Complaint filed 10/7/11. Service obtained 10/17/11. Permanent Injunction Judgment filed 2/27/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

HEWETT, DAVID
d/b/a **ACE HEATING AC & REFRIGER-**
ATION
Murphy NC

Violation of prior Order of the Court. Contempt hearing held 4/4/2011. Order of Contempt filed 4/21/11 finding defendant in contempt of prior Order of the Court, sentencing him to 24 hours active jail time for each of three counts of criminal contempt and suspending jail time upon condition Defendant agrees to 6 months supervised probation, completes 24 hours community service, pay to the Cherokee County Clerk of Court a fine in the amount of \$500.00 within 30 days of date of Order and enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

HINES, THOMAS LEE
d/b/a **MODERN PLUMBING**
Lewisburg WVA

Heating contracting without a license. Complaint and Summons filed 6/9/11. Permanent Injunction Judgment filed 7/21/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

HODGES, JOHN
d/b/a **HODGES PLUMBING SERVICE**
Mocksville NC

Plumbing contracting without a license. Summons and Complaint filed 9/12/11. Service obtained 9/14/11. Judgment of Permanent Injunction filed 12/29/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

HOWIE, JESSIE B.
d/b/a **ALL POINTS BUILDERS &**
HOWIE ELECTRIC
Charlotte, NC

Heating contracting without a license. Summons and complaint mailed for filing 11/29/11. Judgment of Permanent Injunction filed 3/17/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

HUSKINS, JOSEPH**Marion NC**

Heating contracting without a license. Complaint and Summons filed 12/8/10. Service obtained 12/11/10. Defendant filed answer 1/11/11. Summary Judgment granted 4/3/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

JAY, WILLIAM "BILL"**d/b/a SAFE STEP WALK-IN TUB****Indian Trail NC**

Plumbing contracting without a license. Mailed Summons and complaint to clerk for filing 1/24/12. Defendant served 2/2/12. Permanent Injunction Judgment filed 3/30/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

JOHNSTON, DONALD**d/b/a MOUNTAIN AIR-HEATING & COOLING, INC.****Hayesville NC****License #22597 H-3-II**

Misconduct in the business of heating contracting in that Respondent installed an H-I system consisting of a radiant floor heating system on Shearer Creek Road, Hayesville, N.C., installed 31 H-3-I systems at Apartments, Hayesville, N.C., installed an H-3-I system at a Church in Hayesville, N.C., and an H-I radiant floor heating system on Tusquittee Road, Hayesville, N.C. Respondent does not admit any violation of the statutes.

A Consent Order was entered on 12/3/11 in which Respondent agreed the surrender of license effective December 31, 2011. From and after December 31, 2011, Mountain Air-Heating & Cooling, Inc. cannot perform work based on the license of Respondent, Donald Johnston. Prior to reinstatement of license in the future, the Respondent shall appear before the Board to address the matters set forth in the Notice of Hearing and shall not make such request prior to two years from this date.

JONES, MAURICE LEON**d/b/a AIRO MECHANICAL, LLC.****Charlotte NC****License #18116 H-2&3-I**

Misconduct in the business of heating contracting in that Respondent was not a full-time employee when he listed his license in the name of Airo Mechanical, LLC, as Full Time Employee. Respondent continued to contract heating work in his own name while his license was listed with Airo Mechanical, LLC. Respondent permitted Airo Mechanical, LLC, to use his license in connection with performance of contracts for installations at

several locations. Respondent, was not a party to the contracts. In the course of the installations, Respondents Jones and Airo failed to obtain permits prior to beginning installations in violation of the North Carolina State Building Code; failed to request inspections within 10 days of substantial completion of work; failed to obtain final inspections; failed to provide adequate supervision by a licensee of the Board; allowed the use of license by unlicensed persons by issuing 1099's to unlicensed employees, failed to have contracts executed by a licensee; installed an undersized return air grille; installed an undersigned return air duct; failed to install a service platform/walkway; failed to insulate duct; installed flexible duct with too tight radius; left outdoor unit overhanging the pad; failed to protect the control wire; failed to seal refrigerant piping openings at the unit; failed to entirely insulate the refrigerant pipe; left the ductboard vapor barrier torn and not repaired; left homeowners with an unfinished system; and as to Respondent Jones, the project constituted license peddling.

A consent order was issued on 12/3/11 in which Respondent Jones agreed to the suspension of his license for one year with provisions that Respondent Jones perform no work requiring license except as a bona fide employee of a licensed contractor; enroll in and attend the Special Board Laws & Rules course presented by the Board prior to the end of the suspension. Pay all current and past renewal fees; bring current all required continuing education credit hours; and violate no provision of Article 2, Chapter 87 or the Rules of the Board. Upon completion of the suspension and return of license to Respondent Jones, license of Respondent Jones shall be placed on probation for two (2) years. The license of the Respondent Airo Mechanical LLC, regardless of the identity of the licensee upon whose qualifications the firm is licensed, shall be on probation for a period of three (3) years, with numerous conditions. Within six (6) months after this Order becomes effective, the Respondent Jones and all licensees employed by Respondent Airo shall enroll in the Special Contractor Business Management course and present evidence to the staff of the Board of a passing grade in such course by the end of the period of probation. Within sixty (60) days provide a statement to the Board from the local Inspection Department to the effect that final inspection has been made and passed and all permits acquired and inspection fees paid for each installation installed during the timeframe Respondent Jones' license was listed in the name Airo Mechanical, LLC.

KHARBAT, GHASSEN**d/b/a A/C CYCLE GO GREEN HEATING & AC****Wilmington NC**

Heating contracting without a license. Summons and complaint mailed for filing 1/12/11.

Permanent Injunction Judgment filed 1/3/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

LAMB, LONNIE L.**Elizabeth City NC**

Violation of prior order of the court. Hearing held in Pasquotank County on 4/25/11; Order of Arrest filed 6/13/11 for failure to appear. Service of order obtained. Hearing held 9/19/11 Camden County Superior Court. Order of Arrest issued 10/5/11. To be placed in custody 10/7/11.

LAWING, BRANDT DALLAS**d/b/a ATLANTIC HEATING AND AIR, INC.****Waxhaw NC****License #20681 H-2 & 3 Class I**

Misconduct in that Board staff contended Respondent had 32 open active permits 27 of which have no inspection requests and 5 which have inspection requests dating from July 12, 2007 through October 1, 2009, and 171 permits that have expired due to lack of activity of which 129 were expired with no inspection requests made and 42 were expired that had an inspection request made dating back to December 5, 2002 through June 28, 2007. In Union County, Respondent had 29 permits which expired with no inspection requests made by Respondent dating from July 3, 2007 through March 23, 2009. Staff alleged jobs where Respondent failed to obtain a permit prior to beginning installation in violation of the North Carolina State Building Code; failed to obtain a final inspection in violation of the North Carolina State Building Code; ran control wiring across the attic floor in front of the attic access; failed to entirely seal refrigerant pipe insulation seams; failed to properly support flue venting from the furnace; failed to prime the PVC condensate piping prior to gluing the pipe and fittings; installed undersized refrigerant piping; failed to design and install a system which would adequately heat and cool the residence; installed 14" ductwork connected to 12" ductwork; installed ductwork with too much restriction; installed the evaporator coil backwards; failed to install a working platform at the service panel; incorrectly installed thermostat wiring; and failed to address the complaints from the property owner, forcing the homeowner to hire another contractor to repair the installation. Homeowner settled a civil suit with the Respondent out of court. Respondent does not admit any violation of the statutes. Respondent contends the

dispute between Respondent and Mr. Silverstein was resolved through the Court system and the facts would be different in a hearing. At this time Respondent is no longer involved with the HVAC industry and has no reason to participate in a hearing. Respondent has tendered his license to the Board. Formal hearing was held 6/20/11. Order was issued on 6/20/11 in which the Board accepted the surrender of license proposed by the Respondent without deciding the truth of the allegations. Prior to reinstatement of license in the future, the Respondent shall appear before the Board to address the matters set forth in the Notice of Hearing and shall not make such request prior to three years from the date of the Order.

**LETULLE, TOM
Tarboro NC**

Heating contracting without a license. Complaint and Summons filed 6/30/11. Permanent Injunction Judgment filed 8/25/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

**LINEBERRY, SCOTT ALLEN
d/b/a GREEN HEATING & COOLING
OF NC, INC.
Charlotte NC**

License #20041 H-3-I

Misconduct in the business of heating contracting in that Respondent failed to provide adequate supervision; failed to repair a hole in the flexible duct; failed to repair damaged vapor barrier; failed to seal take off collar; failed to install service platform of 30" x 30" minimum size; failed to install zoning system in supply ducts; failed to properly support flexible duct; failed to apply primer prior to gluing PVC fittings and pipe; failed to affix manufacturer nameplate to evaporator coil; and failed to install a system that would maintain design temperatures throughout the structure as a result of the absence of any balancing zone system. Respondents contend the system was installed in accordance with standards prevailing in 2005, that the system has been altered since installation and that no violation of the statutes and Rules of the Board has occurred.

A Consent Order was entered into on 12/3/11 in which Respondent agreed that his license be suspended effective October 13, 2011, and remain suspended until Respondent installs a zoned and balanced system at the residence of the homeowners which meets the four degree standards of the Board. Board staff shall assist in verification of compliance. Upon completion of the period of suspension and return of license to Respondent, license of Respondent shall be placed on unsupervised probation for 24 months calculated from the later of the date

of this Order or the date of restoration of license after suspension. Perform a room by room load calculation on all jobs where gas furnaces, heat pumps, air handlers or condensing units are installed and maintain a copy of all load calculations in job files; perform a whole house load calculation on all jobs where gas furnaces, heat pumps, air handlers or condensing units are replaced and maintain a copy of all load calculations in job files; assure that all systems installed maintain the required maximum temperature difference of four degrees between floors and room to room; assure that all employees who perform work under the license either hold an active heating license or are bona fide employees subject to tax withholding; implement procedures and supervision adequate to assure that systems pass both rough-in and final inspection without reinspection on 80% of the permits; the licensee shall personally and thoroughly review all phases of work to assure that all installations meet or exceed the minimum standard of the North Carolina State Code prior to all inspection requests; and commit no violation of Article 2, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board.

**LOGAN, SHANNON BRADLEY
d/b/a ESP HEATING & COOLING
York SC**

Heating contracting without a license. Summons and Complaint mailed for filing 1/25/11.

Service obtained 1/28/11.

Consent Order filed 3/2/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

**LUTZ, WILLIAM PATRICK
d/b/a Sears Home Improvement Products
Charlotte NC**

License #15343 H-2&3-I

Misconduct in the business of heating contracting in that Respondent failure to obtain permits prior to commencement of work; failed to assure inspection; contracting mismatching equipment; and failed to assure compliance with the design and installation standards of the Board by the persons to whom Sears Home Improvement Products, Inc. delegated performance of the installations. In discussions the Board has also raised concern as to whether Respondents have consistently complied with the provisions of G.S. 87-21(j). Respondents deny the allegations of the Notice, contending the installations have been properly subcontracted to independent contractors, that Sears Home Improvement Products, Inc. has complied with its legal obligations and that Sears does not have a disproportionate number of complaints in the context of the volume of work

it handles. Sears Home Improvement Products, Inc. further contends the installation defects alleged in the Notice are the work of subcontractors and not the result of its contracting activities.

Consent Order issued 8/8/11 placing license of Respondent on probation for one year with provisions that Respondent have written contracts signed by the licensee and customer for each job contracted by Respondents or for which Respondents are responsible, which contracts comply with the provisions of G.S. 87-21(j); assure that permits are obtained as required for each contract prior to commencement of work; maintain job files or other written records of contracts made and installations performed; maintain a service log of all contracts and service calls by date of initial call including the date of first response; implement procedures adequate to assure that final inspection is requested within ten (10) days of substantial completion of each installation, and that the results of the inspection request are known and of record in the firm within a like period of time; implement procedures to call for reinspection, if necessary, within five (5) days after the request for final inspection; take steps to assure that final payment to a subcontractor is not made until the installation has passed final inspection; take steps adequate to assure that each design is reviewed by a licensee of the Board employed by Sears Home Improvement Products, Inc., with due regard for heat and cooling load, sensible and latent load, duct design and return requirements prior to each job being installed. The parties acknowledge the provisions for design review set forth in G. S. 87-21(j)(1) but agree to the language herein; each contractor licensee employed by Sears Home Improvement Products, Inc. shall enroll in and attend the Special Board Laws and Rules course presented by the Board prior to the end of the probation. Respondents will provide the list to the Board. The Board's staff will notify the licensee of the date and location of the approved course; assure that each licensee of the Board employed by Sears Home Improvement Products, Inc. take and pass the HVAC design course approved by the Board and offered through Umpire Technology; add each licensee employed full-time by Sears Home Improvement Products, Inc. and available to assist in system design to the Sears Home Improvement Products, Inc. license; and commit no violation of Article 2, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board.

**MABE, DAVID LYNN
d/b/a SERVICE PLUS
Morehead City NC**

Heating contracting without a license. Summons and complaint filed. Judgment of Permanent Injunction filed

3/30/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

MANN, KENNETH SCOTT

**d/b/a MANN HEATING & AC
Autryville NC**

Heating contracting without a license. Summons and Complaint filed 8/4/11.

Service obtained 8/25/11.

Judgment of Permanent Injunction filed 12/1/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

MARSH, PHIL D.

**d/b/a PHIL'S FIX IT
Atlantic Beach NC**

Heating contracting without a license.

Service obtained.

Permanent Injunction Judgment filed 9/15/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

MORRISON, WAYNE "BO"

**d/b/a B & D HEATING & COOLING,
INC.**

Albemarle NC

Heating contracting without a license.

Summons and Complaint issued March 2010. Alias & Pluries Summons mailed to Sheriff of Northampton County 2/28/11 and to Iredell Co.

Personally served 3/25/11 in Rowan County.

Judgment of Permanent Injunction filed 6/21/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

McDUFFIE, WALT

**d/b/a CAPE FEAR FIRE PROTECTION,
INC.**

Whiteville, NC

Fire sprinkler contracting without a license.

Summons and Complaint filed 11/29/11.

Permanent Injunction Judgment filed 1/9/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

NEWPORT, GARY

**d/b/a TRIAD ONE CONTRACTING
SEMINARS**

Winston-Salem NC

Allegations of fraud to obtain license and aiding and abetting cheating on examination in that Respondent provided slip sheets or crib sheets with typeface, dimension and text approximating actual pages in the Building Code for use by applicants while taking the examination.

Formal hearing held on 3/11/08.

Order issued 4/15/08 directing that continuing education courses offered by Triad One Contracting Seminars or taught by Respondent, are no longer approved for continuing education credit as of the effective date of this Order and placing the license of Respondent as a Plumbing, Class I, Heating, Group 1, 2, and 3, Class I contractor on probation for 1 year. Conditions of the probation are that the Respondent, modify all printed course material on handouts in the exam course to show the name of Respondent firm; modify all material to a font size different from the font and form used in the Plumbing and Mechanical Code volumes or the other exam reference material; place on the cover, cover page and first sheet of each section of material or handout the following statement: "Taking this material or any study material to the exam site or into the examination room may result in a two year delay in licensure or denial of the right to take any Board examination for two years;" neither request nor receive nor present to a class any material described as an actual test question from a past or future Board exam; accumulate and provide to the Board at the end of the probation a list of all persons who have taken his exam preparation course during the period of probation; provide to the Board a written article suitable for printing in the Board newsletter explaining the risks and consignment of efforts to cheat on an examination, as contrasted with study which creates knowledge and the ability to use and apply the Codes and manuals which are references for the examination; attend and pass both the Board Disciplinary Business Class and the Board Disciplinary Code Class; maintain a written record of any plumbing or heating contracts made and installations performed in the use of license by the Board; maintain a service log of any plumbing or heating contracts and service calls by date of initial call and including the date of first response; maintain job files or other written records of any plumbing or heating contracts made and installations performed; have written contracts signed by the Respondent and customer for any plumbing or heating installation for which Respondent is responsible and during the period of probation, the foregoing records and the contracting activities of the Respondent shall be monitored by the staff of the Board. In the event of violation of the probation, license will be suspended for a period of one (1) year. The Board may impose revocation, suspension, or such other sanctions as indicated by any new violations of G.S. 87-23.

Petition for Review filed 5/27/08, Forsyth County Superior Court.

Record Before the Board filed 7/7/08.

Hearing held 5/18/09 in Forsyth County Superior Court.

Order filed 8/10/09 affirming the terms of the Order with regard to the license of Petitioner and reversing and remanding the terms of the Order with regard to the ability of Petitioner to continue to teach continuing education classes.

Formal hearing held 5/11/10.

Order issued by the Board on 5/24/10, ordering the Respondent to comply with the 4/15/08 Order issued by the Board by providing proof to the Board that he has complied with subparagraphs (a) through (g) of Paragraph I of the Findings of Fact. Upon compliance with those conditions, Respondent shall be permitted to gain approval of continuing education courses as of 1/1/2011. During the operation of the courses, Respondent shall be randomly monitored by the staff of the Board. Respondent's license as a contractor is placed on probation until Respondent has met the above requirements.

Petition for Review filed 7/6/10.

Order filed on 8/17/11 dismissing the Petition for Judicial Review by the Petitioner on grounds of failure to prosecute the appeal.

NORRIS, WOODROW

**d/b/a WOODY'S PLUMBING REPAIR
Lumberton NC**

Plumbing contracting without a license.

Summons and complaint filed.

Entry of Default filed 1/30/12.

Judgment of Permanent Injunction filed 3/21/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

O'BRYAN, GLEN D.

Shelby NC

License #20714 P-1

Failure to comply with probation order issued February 22, 2010, in that he was required, by June 22, 2010, to obtain permits and final inspections from Local Code Enforcement officials and Respondent for 38 water heater installations, carry out all corrections and obtain final inspections. Respondent did not do so. The prior Order of the Board set out numerous areas of concern with the risk to the occupants of the property. Respondent has left the occupants in danger. The prior Order of the Board did not give the Respondent a choice to fail to repair the work in the 38 units. The Respondent has failed to comply with the Order of the Board.

Formal hearing was held 2/13/12.

An Order was issued by the Board on 2/29/12 giving Respondent 60 days from the date of the Order to produce evidence to the Board that he has gotten permits, carried out the necessary corrections and obtained a passing final inspection on the 38 water heater installations carried out for Cleveland

County Senior Citizens Housing at 211 N. Morgan Street, Shelby, N.C., the installations in question in the Notice of Hearing. Upon satisfactory correction of the installations in question within the sixty (60) day period, the matter shall be concluded without further probation or suspension. In the event Respondent fails to provide satisfactory evidence that he got the permits, made corrections and then passed a final inspection on the 38 installations within sixty (60) days as ordered in Paragraph I, license of the Respondent as an individual and of the firm will be permanently revoked. Respondent's license remains suspended for all purposes other than correction of the 38 installations at the Cleveland County Senior Citizens Housing, Inc. project until the corrections of the work or the passage of sixty (60) days, whichever comes sooner.

PARKER, ALLEN, JR.
d/b/a PARKER'S CONTRACTOR
Jacksonville NC

Heating contracting without a license. Summons and complaint filed 12/9/11. Defendant served 12/15/11. Judgment of Permanent Injunction filed 3/23/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

PATRICK, SOLOMON
Blairsville GA

Heating contracting without a license. Summons and Complaint filed 8/25/11. Mailed to Defendant via Certified Mail 8/29/11. Service obtained 9/14/11. Permanent Injunction Judgment filed 11/14/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

PEDERSEN, MARTIN "MARTY"
d/b/a DYNAMIC HEATING & COOLING
Wilmington NC

Heating contracting without a license. Complaint and Summons filed 6/6/11. Permanent Injunction Judgment filed 8/11/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

PENNY, NEWTON
Raleigh NC

Heating contracting without a license. Summons and Complaint filed 8/31/11. Service obtained 9/7/11. Permanent Injunction Judgment filed 10/21/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

PEPPER, RICHARD L.
d/b/a PRECISION HEARING AND AIR CONDITIONING
Robbinsville, NC

Allegations of heating contracting without a license. Mailed Summons and Complaint for filing on 2/16/12. Served on 3/1/12. Permanent Injunction Judgment filed 3/22/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

PINNER, WILLIAM DOUGLAS
d/b/a DPI STRUCTURAL MOVERS
Arden NC

Plumbing contracting without a license. Complaint and Summons filed 5/18/11. Service obtained 6/1/11. Judgment of Permanent Injunction filed 9/19/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

PREVATT, BENNETT ALLEN
Saint Pauls NC

Plumbing contracting without a license. Summons and Complaint filed 8/4/11. Service obtained. Permanent Injunction Judgment filed 10/24/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

RAMIREZ, MARTIN
Smithfield, NC

Plumbing contracting without a license. Summons and complaint filed 12/1/11. Entry of Default filed 1/25/12. Judgment of Permanent Injunction filed 3/19/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

ROYSTER, MICHAEL
Durham NC

Plumbing contracting without a license. Summons and Complaint filed 8/26/11. Service obtained 8/31/11. Judgment of Permanent Injunction filed 11/28/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

RUSSO, DOMINICK ANTHONY, II
d/b/a AIR DYNAMICS HEATING & AIR, INC.

Asheville NC
License #29005 H-3-II
Misconduct in the business of heating contracting in that Board staff alleges on or about April 25, 2011, Respondent, doing business as

Air Dynamics Heating & Air, Inc., contracted to install and installed a heating group 3 system consisting of a 2.5 Ton Goodman Heat Pump and all ductwork in a two story townhome at Lees Creek Road, Asheville, N.C. Respondent installed the HVAC system in eight of the 12 units in the project. In performing the installations, Board staff contends that Respondent failed to install a system which would maintain temperatures within an acceptable range throughout the dwelling; failed to use primer on condensate line; failed to install separate equipment or zoning to serve each floor of the town home; failed to leave minimum clearance for air handler; failed to respond to service calls by homeowner; contracted the job in a name other than the name in which license was listed; and contracted beyond the scope of his license. Respondent disputed the allegations but resolved the matter in the interest of time and expense.

Formal hearing held 3/13/12. Consent Order issued 3/13/12 placing license of Respondent on unsupervised probation for twelve months during which time Respondent shall: perform a room-by-room load calculation on all jobs where gas furnaces, heat pumps, air handlers or condensing units are installed and maintain a copy of all load calculations in job files; perform a whole house load calculation on all jobs where gas furnaces, heat pumps, air handlers or condensing units are replaced and maintain a copy of all load calculations in job files; assure that all systems installed shall maintain the required maximum temperature difference of four (4) degrees between floors and room to room; assure that all employees who perform work under Respondent's license shall either hold an active heating license or are bona fide employees where taxes are withheld; during the period of probation, Respondent shall sit for and pass a regularly scheduled Heating, Group 3, Class I examination; make available Respondent's record and all records of his company for review by the Board's staff any time during normal working hours; obtain permits as required for each contract prior to commencement of work and retain a copy of the permit in the job file for each particular installation; maintain job files or other written records of contracts made and installations performed including a heat loss/heat gain calculation for each installation which involves installation or replacement of a condenser; within six months after this Order becomes effective, the Respondent shall enroll in the Special Board Laws and Rules course approved by the Board's Executive Director and present evidence to the staff of the Board of a passing grade in such course by the end of the period of probation. The Board's staff will notify the licensee of the date and location of the approved course.

The licensee shall be required to bring with him the most current edition of the Board's Laws and Rules book when he attends this class; if allowed by the homeowner, within 90 days of the approval of this Order, Respondent shall hire a properly licensed Heating, Group 3, Class I contractor, which contractor shall either install separate HVAC systems to serve each floor or install automatic zoning as well as correct any code violations at the installation at 15 Lee's Creek Road, Unit E, Asheville, N.C. This work shall be performed at no expense to the homeowner and a final inspection shall be obtained and passed within 120 days of approval of this Order. The Respondent shall submit evidence to the Board within 15 days of the final inspection; and commit no violation of Article 2, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board. During the period of probation, the foregoing records and the contracting activities of the Respondent shall be monitored by the staff of the Board. In the event of violation of the probation, license will be suspended for a period of one (1) year and will not thereafter be reinstated until the conditions of the probation order have been met.

SCHARF, BRIAN DAVID
d/b/a TRU-TECH HVAC, INC.
China Grove NC
License #24551 H-3-I

Failure to renew license and misconduct in the business of heating contracting in that Respondent attempted to heat and cool the home with a duct system which had a manual damper near the takeoff for each supply duct, accessible only in the attic space of the house, practically inaccessible to the occupants of the house; failed to design and install a system that would provide adequate heating and cooling of the residence, instead producing a system with nine degree temperature differences in various areas of the house, a condition which was worse in winter than summer; failed to properly support the flexible ductwork; improperly constructed flexible duct joints; failed to entirely seal collar; spliced flexible duct and failed to use a splicing collar; failed to entirely seal ductwork; failed to entirely insulate the refrigerant piping; and failed to properly prime the PVC condensate piping prior to gluing. As a result of placement of data loggers in the home during January 20 through 27, 2011, it was determined that as the outside temperatures went lower and electric heat came on, temperatures were out of line as much as 9 degrees and when outside temperatures went higher in the 40 to 50 degree range, there was a significant difference in the temperatures inside the house. As a result of the actions of the Respondent the property owners have suffered excessive electric bills despite installing black-

out curtains on nearly all windows and doors of the house. Even after complaint was received by the Board, the Respondent did not make contact with the property owners and did not respond to the complaint. Hearing held 6/20/11.

Order issued 7/1/11 placing Respondent's license on probation for one year with provisions that Respondent install a zoned system at the residence of the homeowners, Mr. and Mrs. Sheldon Schechter, which system does not rely on manual dampers and which maintains temperatures, winter and summer, within a 4 degree range throughout the house; maintain a written record of contracts made and installations performed; maintain a service log of all contracts and service calls by date of initial call and including the date of first response; maintain job files or other written records of contracts made and installations performed; have written contracts signed by the Respondent and customer for each installation for which Respondent is responsible; obtain permits as required for each contract prior to commencement of work; within six (6) months after this Order becomes effective, the Respondent shall enroll in the Special Board Laws and Rules course approved by the Board's Executive Director and present evidence to the staff of the Board of a passing grade in such course by the end of the period of probation. The Board's staff will notify the licensee of the date and location of the approved course; and commit no violation of Article 2, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board. In the event the corrections are not carried out, license will be suspended for 1 year.

SHELBY, ANTHONY
d/b/a ANTHONY SHELBY'S HEATING & AIR
Greensboro NC

Violation of prior Order of the Court. Motion and Order for Contempt mailed for filing and service. Hearing held 8/3/11. Defendant failed to appear. Order for Arrest for failure to appear to Sheriff for service on 8/9/11. Hearing held 1/4/12 Guilford County Superior Court.

Order of Contempt and Order of Arrest filed 1/4/12 finding the Defendant in contempt of prior Order of the Court sentencing him to serve 14 days in the Guilford County Jail to be carried out on consecutive weekends beginning 1/14/12 through 2/27/12.

SMITH, GREGORY L.
d/b/a A+ HEATING & COOLING, INC.
Ocean Isle Beach NC

Misconduct in the business of heating contracting in that Respondents failed to comply

with the provisions of a Consent Order issued on June 9, 2009; and, failed to obtain a permit prior to beginning installation in violation of the North Carolina State Building Code, despite contrary representation to the property owners; failed to allow sufficient clearance to service side of unit; failed to properly insulate refrigerant lines; failed to install and support ductwork to manufacturer's specifications; failed to use proper flex duct connections to transition collars; failed to use Panduit strap on inner liner; installed flex duct with restrictions in several locations; failed to seal flex duct attached to air diffusers in several locations; failed to properly seal supply side of air handler unit leaving tape and mastic peeling away and insulation loose on bottom side of unit; connected drain line on new air handler unit to pre-existing drain that is improperly supported by rafters; failed to slope condensate drain at uniform grade; failed to level air handler attic unit allowing unit to slope in opposite direction from condensate drain line outlet; failed to repair joists and rafters cut for installation; failed to install the zone system or an air purifier as contracted; failed to complete installation of a system that would adequately heat and cool the residence; failed to level outdoor condensing unit on ground; failed to insulate outdoor condensing unit; failed to install means of securing filter on air handler; left missing grommets on refrigerant lines at air handler; and modified air return on system. Respondent has failed to obtain final inspections on seven permits issued by Sunset Beach Building Inspection Department: In January 2011, Respondent sold his contracting firm and is not active in the industry at this time. At the hearing, Respondent acknowledged inadequate supervision of his employees, deficiencies in business ethics, failure to obtain timely inspections and use of a residential load calculation on a commercial installation. A previous Order from the Board imposed a term of probation. The most recent Order directed a suspension followed by a term of probation. Neither Order was successful in preventing the conduct and work set out in the preceding paragraphs. The prior probation Order established a two year suspension of license as the penalty for violation of the probation Order. Formal hearing held 8/8/11.

Order issued 8/29/11 suspending license of Respondents for a period of three years. At the conclusion of the period of suspension, license shall be reinstated, but only if, prior to the end of the suspension, Respondent enrolls in and advises the Board of his passage of the Special Mechanical Code and Design Course and Special Contractor Business Management Course both designed by the Board and available through Umpire Technology, and possible Special Board Laws and Rules Course available from the Board.

The provisions of G.S. 87-22 apply to this Order and require the Respondent to pass the Board exam before license can be reinstated. The Board policy on repayment of back license fees will also apply.

**STARGARDT, STANLEY FRANKLIN
Holly Springs NC**

Heating contracting without a license.
Summons and Complaint filed 3/18/11
Mailed Alias & Pluries summons to Harnett County for service 10/25/11.
Defendant served 11/8/11.
Judgment of Permanent Injunction filed 2/8/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

**TRUELOVE, ROBERT LEE
Research Triangle NC**

License #10166 P&H-3-1
Piedmont Metro Aire-Serv of the Triangle, Inc., contracted beyond the scope of his Heating, Group 3, Class I license; and was informed prior to the contract when he contacted the local Code Enforcement official, that his license would not cover this installation; he obtained a permit; and contracted in a name other than that in which license is issued. The work involved heating and cooling for the kitchen area of a Golden Corral Family Restaurant, a large commercial operation serving large numbers of the public, a facility presenting complicated design issues for load calculation, air movement and relationships with other systems in the building. This work is beyond the skills covered by Heating, Group 3 licenses. The Respondent also contracted and installed two systems each having 10 ton capacity, also at the Golden Corral, Respondent made the contract and received the funds. The arrangement amounted to contracting the job and purportedly subcontracting the mechanical work, despite the language of the document, assigning the electric work to Respondent and the mechanical work to Mr. Commander. The evidence presented demonstrated that air flows from the dining room to the kitchen area of the restaurant and that the air is intermingled. The restaurant had a cooling load far in excess of 15 tons, as the engineer testified to at least six systems, and the previous Findings of Fact here establish more than 27-1/2 tons.
Formal hearing held 2/7/11.
Order issued 2/25/11 placing license of respondent on probation for 12 months, with provisions that Respondent obtain permits as required and deliver signed written proposals for each installation for which licensee is responsible prior to beginning work on any installation; maintain a service log of all contracts and service calls by date of initial call and including the date of first response; maintain job files or other written records of

contracts made and installations performed; have written contracts signed by the Respondent and customer for each installation for which Respondent is responsible; obtain permits as required for each contract prior to commencement of work; maintain a list of all major equipment purchased, the location where installed and the date of both the purchase and installation; perform and retain a copy of a heat loss calculation for each new installation or change-out, consistent with the current version of Rule 21 NCAC 50.0505; implement procedures and supervision adequate to assure that systems typically pass both rough-in and final inspection without re-inspection; during the period of probation, Respondent shall submit quarterly reports documenting his compliance with the provisions of this probation order by either sending them directly to the Board's office or contacting the Board's Field Representative that the documents are ready for his review; maintain the foregoing records, receipts and contracts for immediate review by the staff of the Board upon request; and, commit no violation of Article 2, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board.
Record Before the Board mailed to Durham County Superior Court 4/26/11.
Negotiations in progress.
Consent Order executed by Petitioner and issued by the Board 3/13/12. Subsequent to the entry of an Order by the Board on February 25, 2011, the Respondent appealed to Superior Court. Since that time, counsel for the Board and Respondents have negotiated certain revisions to the Findings of Fact and tender this Order to the Board for approval, contingent on dismissal of the Court action.
On May 12, 2008, Respondent, Truelove, passed the Heating, Group 3, Class I examination. Thereafter the firm has held License No. 10166 P&H-3-1. Respondent is engaged in business as a plumbing and heating contractor and is the holder of License No. 10166 P&H-3-1 issued in the name of Piedmont Metro, Inc., Robert Lee Truelove, President. Respondents do not hold Heating, Group 2 license. It is alleged by the Board but denied by the Respondent that on or about April 29, 2010, Respondents, using the name Piedmont Metro Aire-Serv of the Triangle, Inc., contracted to install and installed a Heating, Group 2, system consisting of a 7.5 ton rooftop unit at a business known as Golden Corral at 3800 N. Roxboro St., Durham, N.C. In the course of the installation, Respondent contracted beyond the scope of his Heating, Group 3, Class I license; was informed prior to the contract when he contacted the local Code Enforcement official, that his license would not cover this installation; proceeded to apply for and obtain a permit; and contracted in a name other than that in which license is issued. It is alleged by the Board but

denied by the Respondent that the work involved heating and cooling for the kitchen area of a Golden Corral Family Restaurant, a large commercial operation serving large numbers of the public, a facility presenting complicated design issues for load calculation, air movement and relationships with other systems in the building. This work is beyond the skills covered by Heating, Group 3 licenses. It is alleged by the Board but denied by the Respondent that the Respondent also contracted and installed two systems each having 10 ton capacity, also at the Golden Corral. Respondent made the contract and received the funds. The arrangement amounted to contracting the job and purportedly subcontracting the mechanical work, despite the language of the document, assigning the electric work to Respondent and the mechanical work to Mr. Commander. It is alleged by the Board but denied by the Respondent that the evidence presented demonstrated that air flows from the dining room to the kitchen area of the restaurant and that the air is intermingled. The restaurant had a cooling load far in excess of 15 tons, as the engineer testified to at least six systems, and the previous Findings of Fact here establish more than 27-1/2 tons. Respondent contends he was cooperative with the Board and Board investigators. Rule 21 NCAC 50.0501 of the State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors was amended effective January 1, 2010. The Rule is titled Air Conditioning further defined. Prior to the Amendment, the Rule stated in pertinent part as follows: "(a) Heating Group 2 systems are defined in G.S. 87-21(a)(3). Multiple units serving interconnected space and aggregating more than 15 tons are included in the foregoing whether or not separately ducted or controlled. (b) All heating systems utilizing ductwork and located in single family residences, and not requiring a Heating Group 1 license, require a Heating Group 3 license." After the amendment, the Rule provided as follows: "(a) Heating Group 2 systems are defined in G.S. 87-21(a)(3). Multiple units serving interconnected space and aggregating more than 15 tons are included Heating Group 2 systems in the foregoing whether or not separately ducted or controlled. (b) The installation of heating and air conditioning systems or components located in single family dwellings and systems of 15 tons or less capacity in non-residential structures require Heating Group 3 license except where: (1) heat is provided by hot water or steam in a Heating Group 1 system, or (2) cooling is provided by a unitary appliance such as a window unit in which case a license is not required."

Respondent contends his reliance upon subsection (b) of the Rule quoted in the previous paragraph was in good faith, and his failure to construe subsection (a) with (b) was inadvertent and not intentional. During the period of probation, the foregoing records and the contracting activities of the Respondent shall be monitored by the staff of the Board. In the event of violation of the probation, license will be suspended for a period of one (1) year. The Board may impose revocation, suspension, or such other sanctions as indicated by any new violations of G.S. 87-23. Voluntary Dismissal filed on 3/22/12 with the Durham County Superior Court by Petitioner dismissing the Petition for Review.

WALL, MICHAEL VERNICE
d/b/a MIKE WALL & SONS CONTRACTING
Elm City NC
 Heating contracting without a license. Complaint and Summons filed 6/7/11. Permanent Injunction Judgment filed 8/26/11

enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

WALSTON, OTIS BERNARD
d/b/a WALSTON PLUMBING & HEATING
Wilson, NC
 Heating contracting without a license in contempt of prior order of the Court. Contempt hearing held 2/27/12. Order of Contempt and Order of Arrest filed 2/29/12 finding the Defendant guilty of one count of criminal contempt of Court and sentencing him to serve 15 days in the Wilson County Jail to be served on weekends.

WILSON, WILL, JR.
Shelby NC
 Plumbing contracting without a license. Mailed Summons and Complaint to clerk for filing 3/11/11 Judgment of Permanent Injunction filed 6/30/11 enjoining Defendant from engaging in business as a plumbing, heating or fire sprin-

gler contractor until properly licensed to do so.

WILSON, KEVIN
d/b/a WILSON HEATING & COOLING
Chesnee SC
 Heating contracting without a license. Permanent Injunction Judgment filed 1/18/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

ZOGRAFOS, CHRIS
d/b/a SOUTHERN COMFORTS HEATING & AC
Dallas NC
 Heating contracting without a license. Summons and Complaint filed 8/4/11. Service obtained 9/5/11. Judgment of Permanent Injunction filed 1/9/12 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

Are Unlicensed Contractors in Your Area Creating Illegal Competition For You?

Would you like to help eliminate illegal competition in your industry? Do you see work being contracted and performed by individuals or firms without the proper license qualifications? We want to know about it.

Complaints can be filed by any person including homeowners, inspectors, and contractors. The complaint form is available on our website at www.nclicensing.org and can be submitted to our office via mail, e-mail, or fax.

If you as a licensed contractor want to help eliminate illegal competition in the trade, reporting contractors who perform work without the proper license qualifications is something that you can do to help make a difference.

The Board takes these matters seriously, and investigates all valid complaints. Please remember that we must have the contractor's name, any contact information that you can provide, and the address of a job that was performed without the proper license.

Our investigators must be able to gather and document credible evidence for our attorneys to present in a court of law in order to obtain injunctions and contempt orders against these individuals.

Board Holiday Schedule

The Board office will be closed on the following dates in observance of the State Holiday schedule.

Monday	November 12, 2012	Veteran's Day
Thursday	November 22, 2012	Thanksgiving Holidays
Friday	November 23, 2012	
Monday	December 24, 2012	Christmas Holidays
Tuesday	December 25, 2012	
Wednesday	December 26, 2012	
Tuesday	January 1, 2013	New Years Day

STATE BOARD OF
EXAMINERS OF PLUMBING,
HEATING AND FIRE
SPRINKLER CONTRACTORS

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RALEIGH, NC 27609

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Business Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: Bus. () _____ Home: () _____

Signature: _____

(Must be signed by the licensee in order to be processed)

Mail to: State Board of Examiners of Plumbing, Heating & Fire Sprinkler Contractors or
1109 Dresser Ct., Raleigh, NC 27609

Fax to: 919-875-3616