



March 2013

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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

Online Services Now Available

Licensees may now log onto our website to complete the annual renewal of their license, change their mailing or physical address, or print a copy of their license.

There are several links on our website that may be used to access the log-in page, including the one at the top of the homepage at www.nclicensing.org. Just below that is a link to a tutorial with detailed step-by-step instructions for anyone who has questions about using the online services.

User ID and Password information was printed on the 2013 License Renewal form that was mailed out in October of 2012. If you did not receive your form, or have misplaced it, please contact our Licensing Coordinator, DeJaya "DJ" Soltys at 919-875-3612, ext. 203 to obtain your password. Passwords **will not** be sent via e-mail.

Is Your License Currently Active for 2013?

It is the responsibility of every licensee to ensure that his/her license is renewed and active.

You may check for an active license status by visiting our website at www.nclicensing.org, clicking on the License Search button, and entering the license number. Enter only the number, and if the license is currently active the information will be returned. If the license is not active, no information will be displayed.

If you have questions about a license that is not active, please contact our Licensing Coordinator, DeJaya "DJ" Soltys at 919-875-3612, ext. 203 for assistance.

Continuing Education Reminder

Our staff continues to receive questions concerning Continuing Education requirements.

Effective December 31, 2012, all rules pertaining to continuing education were repealed. Continuing education is no longer required in order to renew a license issued by this Board. If you would like to read previous articles pertaining to this subject, check the September 2012, December 2012, and January 2013 newsletters (click the Newsletter button on the website), as well as the article on the home page of our website., www.nclicensing.org.

Contractors are strongly encouraged to attend available continuing education classes in order to remain current in codes, as well as changes in technology and equipment as it relates to the industry.

This does not relieve plumbers from the requirements of G.S. 87-98.4(b) which states that a licensed plumbing contractor who installs pumps or pumping equipment; installs, breaks, or reinstalls a well seal, or disinfects a well must attend and approved continuing education course within two years prior to the work being done. These classes are listed on the Board's website on the Continuing Education Class Search link under the title of "C.E. for Well Exemption".

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Holiday & Inclement Weather Closings

The Board office will be closed Friday, March 29, 2013 in observance of the Good Friday Holiday.

Office closed:

Good Friday

March 29th

The Board also reserves the right to close the office in the event of inclement weather if it results in a power outage or if travel in the Raleigh area is hazardous for employees. If you have an urgent matter that needs immediate attention during a weather closure, please contact the Administrative Officer for your area via their mobile phone numbers, which are listed in our staff directory. You may also send an e-mail to information@nclicensing.org, as this e-mail address can be monitored remotely during office closures.

FREE Renovation, Repair and Painting (RRP) Training

The North Carolina Housing Finance Agency and the North Carolina Department of Health and Human Services, Division of Public Health have partnered to train up to 300 new lead renovators by creating 300 free scholarships for the initial RRP Lead Renovator course. The RRP program mandates that contractors, property managers and others working for compensation, in homes and child-occupied facilities built before 1978, must be trained and use lead-safe work practices. After January 1, 2010, North Carolina requires everyone to be RRP certified if you're offering to do any work on a unit built before 1978 for compensation.

Please take advantage of this rare opportunity for free training by registering and attending one of the following ten NC Accredited RRP Lead Renovator Training classes. Space is limited to no more than 30 seats per class. Students must register prior to attending. Please register today!

<u>Date</u>	<u>Location</u>	<u>Contact</u>
April 8, 2013	Boone, NC	The CASE Institute (864)582-1222
April 16, 2013	Winston-Salem, NC	NCHFA/PHRANC (919) 877-5661
April 23, 2013	Asheville, NC	Greenville Technical College (864) 250-8880
April 30, 2013	Raleigh, NC	Greenville Technical College
May 2, 2013	Greenville, NC	The CASE Institute
May 14, 2013	Wilmington, NC	The CASE Institute
May 15, 2013	Wilson, NC	Greenville Technical College
June 10, 2013	Elizabeth City, NC	The CASE Institute
June 11, 2013	Charlotte, NC	reenville Technical College
June 13, 2013	Sylva, NC	The CASE Institute

New Column Added to Newsletter

In Memory

Steve Raines
Leland, NC
Born October 10, 1942
Died February 19, 2013
Licensed Plumbing Class I
11.03.1989 -12.31.2012

Beginning with this issue, we will publish a column in memory of licensees of the Board.

If you would like to submit an individual to be included in the column, please e-mail us at information@nclicensing.org with the person's full name, city of residence, date of birth, and date of death. You may also e-mail a link to an online obituary announcement in lieu of providing all of the information.

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
		NC Well Commission	919-707-5882

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
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Karen Jolliffe

Exam Coordinator
Extension 230 or kjolliffe@nclicensing.org

Lauren Getzie

Complaint Coordinator
Extension 211 or complaint@nclicensing.org

Erik Rogers

Receptionist / Continuing Education Coordinator
Extension 213 or education@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

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Tom Johnston

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Derek Farmer

Northeastern Region
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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"

Website Information: www.nclicensing.org (Download Forms)

You may obtain any of the following forms 24 hours a day, 7 days a week by visiting our website and clicking on the Download Forms button on the left side of the screen.

Consumer Forms

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

Renewal Forms

1. Reinstatement Form—Previous Sub-licensees
2. Renewal form—2013 without Sub-licensees
3. Renewal form—2013 with Sublicensees
4. Renewal form—2013 and previous Year(s) without Sub-Licensees

New Applicant Forms

1. Plumbing, Heating, & Fuel Piping Contractor Examination Application
2. Plumbing, Heating, & Fuel Piping Technician Examination Application
3. Residential Fire Sprinkler Installation Contractor Examination Application
4. Fire Sprinkler Installation & Inspection Contractor Examination Application
5. Fire Sprinkler Inspection Technician Examination Application (no NICET)
6. Fire Sprinkler Inspection Technician Application (NICET)
7. 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

You can also access our website at one of the following easy to remember addresses:

- www.ncplumbing.org
- www.ncheating.org
- www.ncfiresprinkler.org

Technician License Questions and Answers

On January 1, 2013, the Board began issuing Technician licenses in the disciplines of Plumbing, Heating, and Fuel Piping.

Since announcing the new license in the Fall of 2012, our office and field staff has had many conversations and questions concerning the license. As a result, it has come to our attention that there has been some misunderstanding regarding who needs the license, what is required to obtain the license, what the licensees are allowed to do, and what is required for a Technician licensee to obtain a Contractor license.

Who Needs It?

The technician license was created to allow bona-fide full-time employees of a licensed contractor to assist the contractor with the supervision duties required by the Board's Laws and Rules. If a contractor is experiencing difficulty in properly supervising all of the jobs that he/she is responsible for due to the number of worksites, the distance between worksites, or the time required to perform the supervision, it is highly recommended that the contractor consider having one or more Technician licensees to enable the proper supervision of all jobs requiring it.

What are the requirements?

During the last three months of 2012, individuals who held a Journeyman's Card from one of the four city/county apprenticeship programs in the state could qualify for the license by virtue of the Journeyman certification, without being required to pass the Technician examination.

What are licensees allowed to do?

A Technician licensee must be listed as a sub-licensee of a licensed contractor and/or firm in which the qualifier (master licensee) or a contractor who is listed as a sub-licensee of the firm holds similar qualifications as the technician.

A Technician licensee may have multiple qualifications (H1, H2, H3, P, FP) but only the qualifications that are held by a the qualifier (master licensee) or contractors listed on the firm's license as a sub-licensee will be activated while in the employment of the firm.

In other words, if an individual holds a Plumbing Technician license but there are no licensees of the firm who hold a Plumbing contractors license, the Technician's qualification can not be activated.

The one exception to this is the Fuel Piping Technician license. An individual holding this license is allowed to serve in a contractor capacity if he/she is a bona-fide employee of a Class A Gas Dealer as defined in G.S. 119-56 or a provider of natural gas holding certificate of public convenience and necessity under G.S. 62-110.

What is required for a Technician licensee to obtain a Contractor license?

There are two answers to this question.

If a Technician license was obtained through the Journeyman approval process, the individual is required to pass both the technical and business portions of the exams. Contrary to popular belief, a Technician who obtained the license by the Journeyman exemption can not obtain a contractor license by passing only the business portion of the exam.

However, if a Technician license was obtained by passing the technical portion of the examination, the individual would be required to pass only the business portion of the exam, as he/she has already passed the technical portion as a requirement of obtaining the Technician license.



Disciplinary Actions

The Board is required by law to investigate every complaint received. If the findings of the investigation indicate that a violation of the laws and rules enforced by the Board have occurred by a licensed or unlicensed individual and/or firm, a number of disciplinary actions are available to the Board.

Recent actions are reflected in the four reports that follow:

- Letter of Caution Report
- Consent Agreement Report
- Field Resolution and Resolution Review Committee Report
- Attorney's Report

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:

Adams, Leroy	Lumberton, NC	9/25/2012	Macary, Andrew	Huntersville, NC	1/9/2013
Baker, Charles B.	Charlotte, NC	12/13/2012	Moody, David	Waynesville, NC	1/10/2013
Champion, Ernest L.	Oak Island, NC	12/6/2012	Moore, Wylie	Granite Falls, NC	1/22/2013
Bunn, Preston L.	Deep Run, NC	1/15/2013	Nicholson, Lee Roy	Hendersonville, NC	1/10/2013
Byers, Bruce	Forest City, NC	1/11/2013	Rea, Tom	Charlotte, NC	1/7/2013
Byrne, Dean	Huntersville, NC	1/9/2013	Rogers, Harold	Thomasville, NC	1/24/2013
Christopher, Joseph E.	Creedmoor, NC	11/9/2012	Smith, Buddy Davis	Mayodan, NC	1/17/2013
Conrad, James A.	Charlotte, NC	12/17/2012	Thorne, Christopher	Apex, NC	1/15/2013
Currie, Clyde T.	Charlotte, NC	1/15/2012	Urban, Christopher	New Bern, NC	12/18/2012
Hollowell, Jeffrey A.	Newport, NC	2/15/2013	Williams, John	Shalotte, NC	12/6/2012
Jones, Major M.	Mount Olive	2/14/2013	Wilson, Christopher	Hendersonville, NC	1/9/2013

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.

Darden, Kelvin T.	Jacksonville, NC	01/17/2013	Gwaltney, Brandee T.	Freemont, NC	1/15/2013
Duncan, Clois E.	Surf City, NC	01/16/2013	Pedigo, Tracey E.	Knightdale, NC	01/10/2013
Grap, Timothy L.	Cedar Grove, NC	01/17/2013	Schweitzer, Michael C.	Raleigh, NC	01/10/2013

Resolution Review Committee Report

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.

Anderson, Garry Wayne
Anderson Heating & Air
Conditioning, Inc.
Brevard, NC
License# 16633, H-1, 2&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, and failed to perform load calculation(s).

Resolution Conference held 11/19/2012

Garry Wayne Anderson signed a Resolution Conference Agreement 11/19/2012.

The license of Garry Wayne Anderson, number 16633 H-1, 2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. If 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.

Ball, Nathan L.
Morganton, NC
License# 11537, P-II

Allegations of misconduct in the

business of plumbing contracting in that the licensee signed the 2010-04 form PHFP 1-B verifying the plumbing P-II experience for Cameron Nathaniel Ball in which he represented that Ball was an employee. Licensee paid Mr. Ball on a Form 1099-MISC Form without withholding taxes in violation of the Board rule 21 NCAC 50.0512.

Nathan Ball signed a Proposed Resolution Agreement 12/06/2012.

The license of Nathan Ball, number 11537 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, within 90 days of approval of this agreement, the licensee is required to enroll in and attend the Special Board Laws & rules class. Mr. Ball 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.

Banks, Mark W.
Aire Serv of Western
North Carolina
Weaverville, NC
License# 22670, H-1,2&3-I

Allegations of misconduct in the business of heating contracting in that the licensee obtained a permit, and used the incorrect license number on the permit for the installation of packaged heating and air conditioning rooftop units, set curbs, installed ductwork with registers, grilles, and diffusers where the licensee did not hold the contract with the property owner or general contractor.

Mark W. Banks signed a Proposed Resolution Agreement 11/14/2012.

The license of Mark W. Banks, number 22670 H-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, within 90 days of signing this agreement, 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.

**Beaver, Darrell Lee
Clyde, NC**

License# 19061, H2 & 3-II

Allegations of misconduct, incompetence, and job abandonment in the business of heating contracting in that the licensee failed to maintain a copy of the load calculation for the job in this complaint, failed to perform a duct design for the job in this complaint, obtained money and failed to complete installation within a reasonable timeframe (job abandonment), and failed to carry out adequate ductwork installation and system design.

Resolution Conference held 01/09/2013.

Darrell Beaver signed a Resolution Conference Agreement 01/09/2013.

Upon renewal of the license to active status, the license of Darrell Lee Beaver, number 19061 H-2&3-II, and the license of the firm shall be suspended for a period of six (6) months. Among other things during the suspension, during the suspension, the licensee must enroll in, attend and complete the two (2) day Special Mechanical Design course, and enroll in, attend and complete the Special Board Laws & rules class within 90 days of approval of this agreement. If the licensee violates the conditions of suspension, his license will remain suspended until such time as he complies with all of the suspension provisions listed above.

**Brown, Robert Malone Jr.
Riverside Plumbing Company
Catawba, NC**

License# 05202, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee signed the 2010-04 form PHFP I-B verifying the plumbing P-I experience for Terry Alexander Brown in which he represented that the applicant was an employee. Licensee paid the applicant in cash without withholding

taxes in violation of GS 87-21 NCAC 50 section .0512.

Robert Malone Brown signed a Proposed Resolution Agreement 12/19/2012.

The license of Robert Brown, number 05202 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, within 90 days of approval of this agreement, the licensee is required to enroll in and attend the Special Board Laws & rules class. Mr Brown is required to submit to the Board's office within 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 requirements.

**Carter, David George
Webb-Murray
Pasadena, TX**

License# 29935, FS, FSIC

Allegations of misconduct in the business of fire sprinkler contracting work in that the licensee failed to comply with the Board's Active Employment rule, 21 NCAC 50.0404, by operating as the current licensee/qualifier for the branch facility location of Webb-Murray located at 2725 Old Wrightsboro Rd. in Wilmington, while maintaining his residency in another state, and failed to be in the office 1,500 hours annually or all hours for which work which requires a license was being contracted and performed.

David George Carter signed a Proposed Resolution Agreement 12/12/2012.

The license of David Carter, number 29935 FS, FSIC, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, within 90 days of approval of this agreement, the licensee

is required to enroll in and attend the Special Board Laws & rules class, assure that a licensed contractor of the firm shall either be in the office or on the jobs a minimum of 1500 hours annually for all jobs contracted and installed. If the licensed contractor cannot meet the 1500 hour minimum requirement, then the licensed contractor shall be either in the office or on the jobs all hours work that requires a license is being performed, assure that his license is listed with the Board in the name that he operates his business, and licensee agrees that in the event of a change of sub licensees, he will notify the Board within 30 days of the change and submit the required documentation to ensure that the license is added or removed accordingly. 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.

**Clark, Helmut Anthony
Air Control
Godwin, NC**

License# 21319, 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 for the installation of a 13 Seer, Goodman model, 2.5 ton straight a/c outdoor condensing unit to an existing 2.5 ton air handler unit, failed to perform, at a minimum, a block load, heat loss/heat gain calculation to verify equipment size, failed to verify that the equipment was an AHRI match, and the licensee checked with the local distributor but failed to verify with the manufacturer that the equipment was compatible.

Helmut Clark signed a Proposed Resolution Agreement 11/16/2012.

The license of Helmut Clark, number 21319 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, the contractor shall return to the home located at 7570 Shumont Dr. 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 or oversized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection by 12/15/2012. The contractor shall submit evidence to the board by 12/15/2012 of the final inspection and shall submit a copy of his load calculation. The contractor shall contact the manufacturer of the equipment installed and obtain an AHRI certification or compatibility approval letter verifying that the outdoor condensing unit installed is compatible with the existing air handler unit. If the contractor cannot obtain the required compatibility documentation or if it is determined that the equipment installed is not compatible then he/she shall obtain a permit from the local inspection department, replace the mismatched equipment with properly matched air handler(s) and/or condensing unit(s) and obtain a final inspection by 12/15/2012. The contractor shall submit evidence to the board by 12/15/2012 of the final inspection and shall submit a copy of the equipment compatibility documentation. After complaint to the Board, the licensee obtained the final inspection and submitted the required documentation. Licensee must enroll in, attend and complete the series of three - six (6) hour sessions of the Special Mechanical Code course, within 90 days of approval of this agreement, the licensee is required to enroll in and attend the Special Board Laws & rules class. In the event the li-

icensee violates the conditions of probation, his license will be suspended for a period of 90 days, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Eaton, Danny Edward
Danny Eaton Plumbing, LLC
Trinity, NC
License# 27040, 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 provide adequate supervision. Resolution Conference held 11/14/2012

Danny Edward Eaton signed a Resolution Conference Agreement 11/14/2012.

The license of Danny Eaton, number 27040 P-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, the licensee must enroll in, attend and complete the series three - six (6) hours sessions of the Special Plumbing Code and Design course, and within 90 days of approval of this agreement, enroll in, attend and complete the Special Board Laws & Rules course. If 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
Ashley's Heating & Air, Inc.
Hickory, NC
License# 12992, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to

notify the Board of the change in his contact information from that shown on the last license renewal invoice within 30 days after the change took place, failed to obtain a permit prior to commencing work to install a heat pump in violation of section 21 NCAC 50.0402, and violated the State Mechanical Code. Kermit Garrison signed a Proposed Resolution Agreement 06/19/2012. The license of Kermit Garrison, number 12992 H-3-I, and that of the firm shall be placed on supervised probation for a period of six (6) months. By 07/01/2012, the licensee agreed to return to the home located at 1685 Fairway Dr. and perform a thorough Manual J load calculation and a Manual D duct design. If the load calculation revealed that the equipment was 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 07/08/2012. The contractor shall submit evidence to the board by 07/15/2012 of the final inspection and shall submit a copy of his load calculation. Return to the home 07/01/2012 and correct any and all code violations that still exist. Contact the homeowners 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 07/08/2012. The contractor shall submit evidence to the board by 07/01/2012 of the final inspection. By 07/01/2012, the licensee must properly update his contact information (phone number) with the Board. After complaint to the Board, the licensee addressed all problems at 1685 Fairway Dr., obtained an approved final inspection, and updated his contact information with the Board. 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.

Goodwin, Marvin Wade
Goodwin Heating and Air
Wadesboro, NC
License# 23889, H3-I

Allegations of misconduct and working without a license to perform heating group two work in that the licensee contracted and installed at a commercial property two (2) 10-ton split system heat pump units consisting of air handling units and outdoor units. Marvin W. Goodwin signed a Proposed Resolution Agreement 12/19/2012.

The license of Marvin W. Goodwin, number 23889 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, within 90 days of approval of this agreement, 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.

Herring, Mark Allen
Herring Heating & Cooling,
Inc.
Monroe, NC
License# 11906, H-2&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. Resolution Conference held 11/15/2012

Mark Herring signed a Resolution Conference Agreement

11/15/2012.

The license of Mark Herring, number 11906 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, licensee must enroll in, attend and complete the series of three - six (6) hour sessions of the Special Mechanical Code course, and enroll in, attend and complete the Special Board Laws & Rules course. If 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.

Hollister, David Branch
Sundance Power Systems, Inc.
Weaverville, NC
License# 21584, H1-I

Allegations of misconduct in the business of heating contracting in that the licensee contracted and performed work outside current licensing qualifications, and subcontracted work from an unlicensed general contractor.

Resolution Conference held 01/11/2013.

David Hollister signed a Resolution Conference Agreement 01/11/2013.

The license of David Hollister, number 21584 H-1-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 enroll in, attend and complete the Special Board Laws & rules class within 90 days of approval 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 he must comply with all of the probation requirements.

Joslin, Blake E.
Sundance Power Systems, Inc.
Weaverville, NC

License# 14458, P-I (sub licensee)

Allegations of misconduct in the business of plumbing contracting in that the licensee contracted work while license was expired, and subcontracted work from an unlicensed general contractor. Resolution Conference held 01/11/2013.

Blake Ellsworth Joslin signed a Resolution Conference Agreement 01/11/2013.

The license of Blake Ellsworth Joslin, number 14458 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 enroll in, attend and complete the Special Board Laws & rules class within 90 days of approval 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 he must comply with all of the probation requirements.

Kelly, Clarence Allen
Allen Kelly & Company, Inc.
Raleigh, NC

License# 07049, PHI, 2 & 3-I

Allegations of misconduct in the business of heating contracting in that the licensee's company contracted and performed the installation of a Trane 3 ½ ton 15 seer HVAC system, during the course of the installation, the licensee failed to visit the job site, and failed to provide adequate supervision for work performed under his license.

Clarence Kelly signed a Proposed Resolution Agreement 12/12/2012.

The license of Clarence Allen Kelly, number 07049, 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, within 90 days of approval of this agreement, 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.

Lackey, Raymond
Ray's Plumbing & Heating
Bryson City, NC
License# 06744, PH-3-I

Allegations of misconduct in the business of plumbing and heating contracting in that the licensee signed the 2010-04 form PHFP I-B verifying the plumbing P-I and H-3 experience for Brandon Thomas Burdette, and the licensee also submitted a letter verifying that Mr. Burdette worked for him from October 2002 through November 2007 in which he represented that the applicant was an employee. Licensee paid the applicant in cash, did not issue any form 1099's to the applicant nor did the applicant receive any W-2's from Ray's Plumbing & Heating. Actions were in violation of GS 87-21 NCAC 50 section .0512.

Raymond Lackey signed a Proposed Resolution Agreement 01/11/2013.

The license of Raymond Lackey, number 6744 PH-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 must enroll in, attend and complete the Special Board Laws & rules class within 90 days of approval of this agreement, assure that his license has been listed with the Board in the name that he currently operates his business by 12/31/2012, 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 completed a trade name change form request listing his license in the name of Ray's Plumbing & Heating; however, licensee did not submit the copies of employee 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 he must comply with all of the probation requirements.

Langston, Steve
Thompson Gas-Smokies,
LLC
Smithfield, NC
License# 21161, FP

Allegations of misconduct in the business of fuel piping contracting in that the licensee failed to obtain a permit prior to commencing work for the installation of a fuel line, failed to obtain final inspections within ten (10) days of substantial completion of the work, and engaged in business under a different name or style of business than appears on his license.

Steve Langston signed a Proposed Resolution Agreement 11/19/2012.

The license of Steve Langston, number 21161 FP, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, within 90 days of approval of this agreement, the licensee is required to enroll in and attend the Special Board Laws & rules class, 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 10 days, and 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 the form to list his license in the name of Thompson Gas-Smokies, LLC. 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.

Marlowe, Thomas
Double M Services LLC
Nakina, NC
License# 10389, PH-3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to respond to the consumer's request for service in a timely manner, and failed to obtain a written contract with the homeowner documenting the scope of work, project cost, and timelines of completion for the project

Thomas Marlowe signed a Proposed Resolution Agreement 11/19/2012.

The license of Thomas Marlowe, number 10389 PH-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. By 12/21/2012 the contractor shall return to the home located at 8625 Hallsboro Rd., Whiteville, NC 28472, NC and perform a thorough Manual J load calculation and Manual D duct design. If the load calculation and/or duct design reveals that the equipment and/or system is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the ductwork and/or undersized or oversized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection by 12/21/2012. The contractor shall submit evidence to the board by 12/21/2012 of the final inspection and shall submit a copy of his load calculation and duct design. Pro-

vide to the Board with a receipt by 12/21/2012 documenting that the licensee has made restitution in the amount of \$218.00 to Richard Allen Sellers. Licensee requested and received approval for a 14 day extension to the original deadline of 12/21/2012 to complete work at 8625 Hallsboro Rd. In addition, licensee must enroll in, attend and complete the two (2) day Special Mechanical Design course, and within 90 days of approval of this agreement, licensee must enroll in, attend and complete 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 90 days, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

Nolan, Patrick
Expert Air, Inc.
Indian Trail, NC
License# 29704, H-1, 2&3-I

Allegations of misconduct in the business of heating contracting in that the licensee obtained money and failed to complete the installation (job abandonment).

Resolution Conference held 11/15/2012

Patrick Nolan signed a Resolution Conference Agreement 11/15/2012.

The license of Patrick Nolan, number 29704 H-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, within 30 days of signing this agreement, the license shall refund to the First Baptist Church of Boone, Inc. the sum of \$1,737.50. After complaint to the Board, the licensee failed to make the payment as agreed. In addition, the licensee must enroll in, attend and complete the Special Board Laws & Rules course. If 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.

Peery, Douglas Joseph
Carolina Comfort Heating & Cooling, Inc.
Asheville, NC
License# 31396, H-3-I
(sublicensee)

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permits prior to commencing the installation of a 10 ton roof top unit, and violated the minimum standard of the North Carolina State Code.

Resolution Conference held 01/11/2013.

Douglas Peery signed a Resolution Conference Agreement 01/11/2013.

The license of Douglas Peery, number 31396 H-3-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.

Perrin, Von Keith
All-Star Plumbing of the Triad, Inc.
Kernersville, NC
License# 28797, P-I

Allegations of misconduct 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 adequate supervision, allowed the use of license by unlicensed persons.

Resolution Conference held 11/14/2012

Von Keith Perrin signed a Resolution

Conference Agreement 11/14/2012.

The license of Von Keith Perrin, number 28797 P-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months. Within the next 10 days of signing the agreement, the licensee shall submit to the Board's office copies of all 2012 employee W-4's and during the probation the licensee shall submit to the Board before April 1st of each year, a copy of all employees W-2's. After complaint to the Board, the licensee submitted copies of all employee 2012 W-4's. Within 90 days of signing the agreement, the licensee must enroll in, attend and complete the two day, 16 hour Special Contractor Business Management course. In addition, the licensee must enroll in, attend and complete the Special Board Laws & Rules course. If 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.

Poplin, Steven
S. G. Poplin, Inc.
Concord, NC
License# 09182, H2&3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to obtain permits prior to commencing work for the replacement of thirty-nine (39) heat pump units, and failed to obtain final inspections within ten (10) days of substantial completion of the work.

Steven Poplin signed a Proposed Resolution Agreement 11/28/2012.

The license of Steven Poplin, number 09182 H2&3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, within 90 of signing this agree-

ment, the licensee shall obtain a final inspection of all open permits or submit evidence of his efforts to obtain final inspection for each job. In addition, within 90 days of approval of this agreement, 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.

**Price, William Dayton Jr.
Roaring River, NC
License# 16475, H-3-II**

Allegations of misconduct in the business of heating contracting in that the licensee signed an application for Eric Philip Carlson verifying his H-3-II experience. Licensee paid Mr. Carlson on a Form 1099-MISC Form without withholding taxes in violation of the Board rule 21 NCAC 50.0512.

William Price signed a Proposed Resolution Agreement 12/14/2012. The license of William Price, number 16475 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, attend and complete the Special Board Laws & rules class within 90 days of approval of this agreement, assure that all advertisement, letter heads, invoices, proposal and contracts list the name in which the contractor is contracting the installations (which has to be consistent with the way the license is listed with the Board's office) and assure that the licensee's license number appears on all contracts, 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 he must comply with all of the probation requirements.

**Rhodes, John Steven
Wilson Rhodes Electrical
Contractors, Inc.
Greenville, NC
License# 20449, H-3-II**

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to install a bypass damper on an electronic zone system, the flex duct was restricted in multiple locations and minimum turn on radius not achieved, return duct connection on return side of unit at air handler unit not sealed properly, and flex duct was not supported properly in multiple locations.

John Steven Rhodes signed a Proposed Resolution Agreement 11/20/2012.

The license of John Steven Rhodes, number 20449 H-3-II, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, licensee must enroll in, attend and complete the two (2) day Special Mechanical Design course, licensee must enroll in, attend and complete the series of three - six (6) hour sessions of the Special Mechanical Code course, and within 90 days of approval of this agreement, 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 90 days, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation requirements.

**Sellers, Roger Delano
Kannapolis, NC
License# 30009, H1, 2&3-I**

Allegations of misconduct in the business of heating contracting in that the licensee failed to comply with the Board rules and regulations on bona-fide employees, 21 NCAC 50.0512.

Roger Sellers signed a Proposed Resolution Agreement 12/07/2012. The license of Roger Sellers, number 30009, H1, 2&3-I, shall be surrendered to the Board. The act of surrendering his license will be considered as a revocation of the license. In the event Mr. Sellers request to re-establish his license, he will have to answer to the charges in this specific complaints and possible reexamine per General Statutes Chapter 87, Article 2.

**Tuggle, Richard Dale
JW Smith's Plumbing, Inc
Greensboro, NC
License# 29127, P-I**

Allegations of misconduct in the business of plumbing contracting in that the licensee, who held a full-time position elsewhere, failed to provide adequate supervision for work performed under his license and violated Board Rule 21 NCAC 50.0404 by allowing work that required a license to be performed at times while he was not present. Richard Dale Tuggle signed a Proposed Resolution Agreement 12/06/2012.

The license of Richard Dale Tuggle, number 29127 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, within 90 days of approval of this agreement, 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.

Attorney's Report

The Attorney's Report contains information pertaining to cases that have been adjudicated in a formal proceeding of the Board or in the courts of North Carolina. Disciplinary actions against licensed contractors are typically imposed during a Formal Hearing of the Board. Court action is necessary when unlicensed individuals are found to be in violation of the Board's Laws and Rules or in certain circumstances where licensees are found to be in violation of any order(s) issued by the Board.

AMERSON, KENNETH WAYNE
d/b/a **THE MAINTENANCE MAN**
LLC

Sims, NC

Heating contracting without a license.
Complaint and summons mailed to clerk
for filing 11/8/12.
Permanent Injunction Judgment filed
1/25/13.

ANDERSON, JONATHAN DAVID
d/b/a **COOL CHANGE HEATING**
AND AIR
Raleigh, NC

Heating contracting without a license.
Permanent Injunction Judgment filed
2/4/13.

ANDREWS, GARY
d/b/a **GEORGIA DELTA MECHANICAL**
Lawrenceville, GA

Plumbing contracting without a license.
Permanent Injunction Judgment filed
12/17/12.

BLACK, ROGER
d/b/a **BLACK'S EMERGENCY**
PLUMBING

Arden, NC

Allegations of plumbing contracting without a license.
Complaint and Summons mailed on
3/21/11.
Mailed Alias and Pluries Summons for
service on 4/12/11.
Mailed by Certified mail on 4/25/11.
Alias and Pluries Summons mailed
11/18/11.
Mailed by Certified mail 3/2/12.
Returned unclaimed.
Attempting to find new address.
Considering dismissal due to inability to
locate Defendant.
Notice of dismissal filed.

BOST, JEFFREY WAYNE
d/b/a **COMFORTZONE HEATING &**
COOLING

Greensboro, NC

Heating contracting without a license.
Complaint and Summons filed.
Service obtained.
Judgment of Permanent Injunction filed
12/31/12.

BOTTING, MATTHEW RYAN
d/b/a **AIRTRON OF CHARLOTTE**
Charlotte, NC

Misconduct in the business of heating contracting in that Board staff contends that: In a hearing the evidence would show that during August 2011, Respondents were under contract with True Homes to install heating and air conditioning systems in newly-built structures in Union County, North Carolina, that the systems installed consisted of a single system for two story houses with no zone dampers or bypass damper and a single thermostat in multiple homes. In the course of the installation of the systems, Board staff contends that the work performed on these three structures, which were uninhabited and under construction at the time, gave rise to issues including: installation of a single 6" return for the first floor in a house with a 10", two 8" and one 6"; supply; carrying out a ductwork installation and system design which were inadequate to meet minimum design standard and the North Carolina State Mechanical Code violations. Respondents deny the above allegations, they note they are committed to cooperating with the Board to ensure the comfort and safety of all consumers. That Airtron took swift action to promptly resolve all issues in full cooperation with local inspectors before drywall was hung and that all structures have passed a full inspection.
Consent Order issued 12/10/12 placing the license of Respondent, Matthew Botting, on probation for eighteen months during which

time Respondent will comply with provisions that the terms of probation are agreed to be prospective and apply only to work performed and documentation arising after the entry of this Order, and to projects over which he has responsibility. Furthermore, the Board acknowledges that Airtron has now retained numerous licensees and that the following provisions apply to the work of the firm and not personally to individual licensees other than Matthew Botting. During the period of probation the Respondent Botting shall: within 90 days of execution of this Consent Order, enroll in the first of three six-hour sessions of the Special Mechanical Code course, previously authorized by the Board. Respondent shall enroll in the second session of this course within one year of the initial session and shall enroll in the final session within one year of the date of completion of the second session. Within 90 days of execution of this Consent Order, enroll in a two day 16 hour Special Mechanical Design course, previously authorized by the Board; enroll in the four hour Special Board Laws and Rules course approved by the Board; perform a whole house load calculation on all jobs where heating or air conditioning equipment is replaced and maintain a copy of all load calculations in job files; perform a duct design on all jobs where gas furnaces, heat pumps, air handlers, package units or condensing units are installed and maintain a copy of all duct designs in job files; in the case of replacements, assure adequacy of the existing ductwork for performance of the new equipment; assure that all return air ducts on each level are properly sized and installed to return the volume of air being delivered by the supply ducts serviced per floor; assure that all systems installed maintain no more than the required maximum temperature difference of 4 degrees between floors and room to room; ensure that all permits are obtained prior to commencing work for

all jobs that require a license from the Board and maintain a copy of all permits in job files for jobs contracted or installed; ensure that all requests for inspections are made within ten days of substantial completion of each phase of the work of Respondents, absent reasonable excuse; ensure that all inspections have all code violations corrected and a request for re-inspection within ten days of all failed inspections, absent reasonable excuse; ensure an 80 percent passing rate for all inspections during the course of probation.

The license of Respondent, Airtron of Charlotte, is placed on probation for eighteen months during which time Respondents will comply with provisions that the terms of probation are agreed to be prospective and apply only to work performed and documentation arising after the entry of this Order. During the period of probation the Respondent, Airtron of Charlotte, shall: at a time proposed by and agreed upon with the Board, host within 90 days of the date of this Consent Order, the four hour Special Board Laws and Rules course approved by the Board and arrange attendance by all employees who perform installations under the Airtron of Charlotte heating license and make attendance mandatory for such employees; assess the Board's recently adopted Technician License program and, when officially available, participate in the program to the extent the Respondent Airtron deems appropriate; hold monthly employee training meetings at least 30 minutes in length, covering code violations found by the local inspectors, recent code changes, or other matters pertaining to the Laws and Rules of the Board of Examiners or work thereunder. The licensee shall maintain a list of items covered, dates and times of meetings and employee attendance; perform a room by room load calculation on all jobs where gas furnaces, heat pumps, air handlers, package units 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 heating or air conditioning equipment is replaced and maintain a copy of all load calculations in job files; perform a duct design on all jobs where gas furnaces, heat pumps, air handlers, package units or condensing units are installed and maintain a copy of all duct designs in job files; in the case of replacements, assure adequacy of the existing ductwork for performance of the new equipment; assure that all return air ducts on each level are properly sized and installed to return the volume of

air being delivered by the supply ducts serviced per floor; assure that all systems installed maintain no more than the required maximum temperature difference of 4 degrees between floors and room to room; ensure that all employees who perform work under license of Respondent either hold an active heating license or are bona fide employees where taxes are withheld; ensure that all permits are obtained prior to commencing work for all jobs that require a license from the Board and maintain a copy of all permits in job files for jobs contracted or installed; ensure that requests for all inspections of the work of Respondents are made within ten days of substantial completion of each phase of the work of the Respondents, absent reasonable excuse.

BRINSON, RANDY
d/b/a BRINSON HOME REPAIR
Kinston, NC

Heating contracting without a license. Complaint and Summons sent to Clerk for filing 10/8/12. Permanent Injunction Judgment filed 1/18/13.

BRYAN, RANDY RAY
d/b/a CONSTRUCTION SERVICES
Hampstead, NC

Plumbing contracting without a license. Complaint filed 10/31/12. Permanent Injunction Judgment filed 2/1/13

BUCKINGHAM, GEORGE RAYMOND
d/b/a BERKSHIRE PROPERTY ADVISORS, LLC
Wilmington, NC

Heating contracting without a license. Permanent Injunction Judgment filed 12/4/12.

BULLOCK, JAMES
d/b/a BULLOCK'S HANDYMAN SERVICES
Rocky Mount, NC

Plumbing contracting without a license. Permanent Injunction Judgment filed 12/20/12.

BURGESS, DEAN A.
d/b/a A & P COOLING AND HEATING SOLUTIONS
Wendell, NC

Allegations of Heating contracting without a license.

Summons and Complaint filed 7/15/10. Forwarded to Defendant 10/12/10 for service via certified mail. No response. Alias and Pluries Summons filed 8/16/10, 9/3/10, 10/25/10 and 10/26/11. Considering dismissal due to inability to locate Defendant. Dismissal filed 1/16/13.

CLINE, CHARLES
d/b/a C & R CONSTRUCTION
Winston-Salem, NC

Contracting without a license. Summons and complaint filed 8/14/12. Permanent Injunction Judgment filed 1/28/13.

CONNOR, GASTON
d/b/a GASTON CONNOR PLUMBING
Leicester, NC

Allegations he failed to complete jail sentence per prior order of the Court. Order filed on 6/26/12. This Order modified the prior Order to recognize that the Sheriff's Department could not locate the paperwork and was unable to hold the Defendant for the full amount of his jail sentence. Accordingly, new dates have been established for Mr. Connor to serve his jail time. New complaint file received to initiate new Show Cause proceeding. Matter to be heard on 11/27/12 was continued to 1/8/13 on Connor's Motion to Continue. Order of Contempt entered 1/8/13 finding Defendant in contempt and sentencing him to 30 days in jail.

DOTSON, STEVEN ERIC
d/b/a DOTSON PLUMBING
Kernersville, NC
License #13173 P-I

Misconduct in the business of plumbing contracting in that 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; failed to obtain a permit prior to beginning installation in violation of the North Carolina State Building Code; failed to install water heater and exhaust per manufacturer instructions; failed to properly support exhaust pipe; failed to provide proper combustion air; failed to install a thermal expansion device; failed to secure T & P valve discharge piping; failed to install a carbon monoxide detector inside the dwelling; failed to seal separation wall when installing exhaust pipe

through garage wall; failed to use purple primer on any PVC piping; failed to install sediment trap on fuel piping; failed to install test port downstream of regulator; and failed to respond to service calls from homeowner. Respondent denies the allegations of the Board, contends there were contractual disputes, that it was he who discovered the life-threatening conditions, that he only replaced cleanouts on the job. A Consent Order was approved at the 12/10/12 hearing under the terms of which, Respondent's license was placed on probation for one year during which the Respondent shall, within 90 days of execution of the Consent Order, enroll in the first of three six-hour sessions of the Special Plumbing Code and Design course, previously authorized by the Board, and present evidence to the staff of the Board of a passing grade in such course by the end of probation. Respondent shall enroll in the second session of this course within one year of the initial session and shall enroll in the final session within one year of the date of completion of the second session. Within 90 days of execution of this Consent Order, enroll in a two day 16 hour course of the Special Contractor Business Management course, previously authorized by the Board, and present evidence to the staff of the Board of a passing grade in such course by the end of probation. Within 90 days of the date of this Consent Order, enroll in the four hour Special Board Laws and Rules course approved by the Board and present evidence to the staff of the Board of a passing grade in such course by the end of the period of probation. Assure that all permits are obtained prior to commencement of work for all jobs; assure that requests for all inspections are made within ten days of substantial completion of all phases of work; assure that all failed inspections have the code violations corrected and a request for re-inspection is made within five days of all failed inspections; assure that all jobs pass the first inspection at least 80% of the time; maintain written contracts on all installations performed that require a license, which contracts shall be signed by both the licensee and the homeowner and/or a licensed general contractor prior to commencing work and maintain a copy of all contracts in job files for job contracted or installed; assure all changes in contracts are documented through written change orders signed by both the licensee and the homeowner and/or a licensed general contractor prior to commencing the agreed changes; main-

tain job files of contracts made and installations performed; assure that all employees who perform work under your license shall either hold an active plumbing license or are bona fide employees whose taxes are withheld; within 90 days of execution of this Consent Order, make restitution to homeowner, Edna Mills, in the amount of \$300.00; within 90 days of execution of this Consent Order make restitution to homeowner, Alita Semones, in the amount of \$1,600.00 in exchange for return of the water heater; assure that a licensee of the firm or a properly licensed and qualified technician of the firm 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.

ESTRADA, SIMON (AYONA)
d/b/a LAKE CITY LANDSCAPING CO.
Davidson, NC

Allegations of plumbing contracting without a license.
 Complaint and Summons filed 3/29/10 in Mecklenburg County Superior Court. Request Alias and Pluries Summons for new address on 10/6/10 and 2/15/11. Mailed Summons and Complaint to Cabarrus County for service 4/5/12. Not able to locate Defendant. Dismissal being considered due to inability to locate Defendant.
 Dismissal filed.

ETHERIDGE, CHRISTOPHER SCOTT
d/b/a ALL SEASONS
Pikeville, NC

Heating contracting in violation of prior Order of the Court.
 Show cause hearing scheduled 11/26/12 in Wayne County Superior Court. Obtaining finding of contempt. Defendant sentenced to ten days of active jail time.

GIFFORD, TIMOTHY M.
d/b/a TIM'S WATER PUMP
Zebulon, NC

Plumbing contracting without a license.
 Complaint and Summons filed 6/26/12.
 Permanent Injunction Judgment filed 12/7/12.

HOWARD, JERRY ANDREW
d/b/a RENT A PLUMBER
Pink Hill, NC

Plumbing contracting without a license.
 Permanent Injunction Judgment filed 1/15/13.

HUSS, BENJAMIN WILFONG
d/b/a HUSS BAIL BONDS
Newton, NC

Heating contracting without a license.
 Permanent Injunction Judgment filed 1/14/13.

LANGLEY, FRANK D.
d/b/a LANGLEY SERVICE CO.
Kinston, NC

Heating contracting without a license.
 Permanent Injunction Judgment filed 1/17/13.

LEE, LUNDY ESTON
d/b/a LUNDY'S HEATING & AC
Dunn, NC

Heating contracting without a license.
 Complaint filed 6/22/12.
 Permanent Injunction Judgment obtained 11/29/12.

LOZADA, JUAN J. "ANGEL"
d/b/a LOZADA PLUMBING
Charlotte NC

Allegations of plumbing contracting without a license.
 Complaint and summons mailed to Clerk for filing on 5/19/10.
 Request Alias and Pluries Summons on 10/7/10 for new address.
 Planning to dismiss due to inability to locate Defendant.
 Dismissal filed 1/18/13.

MAREADY, LAWRENCE
Albertson, NC

Heating and plumbing contracting without a license.
 Complaint and Summons filed.
 Permanent Injunction Judgment filed 1/11/13.

MATHIS, SHAWN DALE
d/b/a MATHIS RESIDENTIAL SERVICES
Lowell, NC

Heating contracting without a license.
 Complaint and Summons filed 10/3/12.
 Service obtained.
 Permanent Injunction Judgment filed 1/8/13.

McCALL, VANN THOMAS
d/b/a McCALL'S HEATING & COOLING
Indian Trail, NC

Heating contracting without a license.
 Complaint and Summons filed.
 Permanent Injunction Judgment filed 2/1/13.

McDONALD, JAMES BOYCE, III
d/b/a FORBES MOBILE HOME SUPPLY

New Bern, NC

Heating contracting without a license.
Complaint and Summons filed 11/15/12.
Permanent Injunction Judgment filed
12/21/12.

MILAVITCH, JR., MICHAEL
d/b/a MIKE THE PLUMBER
Matthews, NC

Plumbing contracting without license.
Complaint and Summons filed 8/1/12.
Permanent Injunction Judgment filed
12/20/12.

NEIL, WILEY
d/b/a O'NEIL SETUP
Nashville, NC

Heating contracting without a license.
Complaint and Summons filed 6/21/12.
Permanent Injunction Judgment filed
2/1/13.

PELLETIER, ROBERT
Macclesfield, NC

Heating contracting without a license.
Complaint and Summons filed 6/20/12.
Permanent Injunction Judgment filed
1/28/13.

PRIVETTE, ROBERT
d/b/a BULLOCK'S HANDYMAN
SERVICES
Rocky Mount, NC

Plumbing contracting without a license.
Permanent Injunction Judgment filed
12/20/12.

REED, JEREMY DENNIS
d/b/a REED'S HOME IMPROVE-
MENT
Mooreville, NC

Plumbing contracting without a license.
Complaint and summons filed.
Permanent Injunction Judgment filed
2/4/13.

SIMPLEX GRINNELL
Kannapolis, NC

License #23895 FS
Allegations of misconduct in the business of fire sprinkler contracting in that Respondents failed to obtain a permit prior to beginning installation in violation of the North Carolina State Building Code and were unable to successfully convert the seven water-based fire protection systems into seven glycol-based systems that would meet the freeze design protection of -15 degrees. The Board has further contended the licensees failed to provide adequate supervision, contracted work from the unlicensed Spartanburg, S.C. office using

the license of the Charlotte, N.C. office. The Respondents, Simplex-Grinnell, Baruk and Blankenship deny the allegations, contend regulatory changes on the use of glycol during the project affected their ability to meet the design goals and that the repeated failures were the result of design problems in the work of the previous contractor. Prior to the hearing, the parties, with the exception of Respondent Sharpe, agreed to resolve matters with a proposed Consent Order which is submitted to the Board for approval. Proposed Consent Order submitted to Board for approval at 10/12/12 meeting as to Respondents Simplex-Grinnell, Tomasz Miroslaw Baruk and Karl Dean Blankenship. Consent Order issued 10/12/12 placing the license of Respondent, Simplex-Grinnell for its Charlotte office on probation for 18 months during which time Respondent will comply with the provisions that upon satisfactory completion of the period of probation, the matter set forth in the Notice of Hearing will not thereafter be used as a basis for further disciplinary action. During the period of probation the Respondent Simplex-Grinnell shall have written contracts signed by the licensee and customer for each installation for which license from this Board is required; 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; obtain final inspection of all projects from the Authority Having Jurisdiction; maintain job files or other written records of contracts made and installations performed; Compliance personnel of Simplex-Grinnell will meet with the Board staff within 3 months of the date of this Order to review its North Carolina licensees, and the operation of its North Carolina offices, to determine if Simplex-Grinnell's current personnel structure meets the North Carolina licensure requirements, and to resolve any licensure issue by employment of additional licensees or other modification to the operations and facilities; within three months after this Order becomes effective, the Respondent, Simplex-Grinnell shall arrange for all its licensees and technicians involved in contracting or performing work in North Carolina, to enroll in, attend and complete the Special Board Laws and Rules course offered by the Board staff

and approved by the Board's Executive Director. The Board's staff will conduct the Rules class for Simplex-Grinnell personnel at the offices of Simplex-Grinnell in Charlotte, North Carolina, or another mutually agreeable location, at no cost to Simplex-Grinnell; pay the sum of \$15,000.00 within sixty days to the Appeldoorn Homeowner's Association to assist Appeldoorn with further efforts to address concerns with the system; and commit no violation of Article 2, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board. Hearing scheduled 12/10/12 as to Respondent, Gary Sharpe. Consent Order executed by Mr. Sharpe approved at the 12/10/12 hearing. Under the terms of the Order, the Board accepted the surrender of license by Mr. Sharpe.

WADSWORTH, BILLY
Nashville, NC

Plumbing contracting without a license.
Complaint and summons 3/16/12.
Service obtained 4/18/12.
Motion for Default Judgment filed 5/30/12.
Permanent Injunction Judgment filed 2/6/13.

WEIR, MICHAEL
Newton, NC

Heating contracting without a license.
Complaint and Summons filed.
Permanent Injunction Judgment filed
1/28/13.

WHEELER, LANE
d/b/a K & W SIDING
Oxford, NC

Heating contracting without a license.
Complaint and Summons filed 10/1/12.
Permanent Injunction Judgment filed
12/27/12.

WILLIAMS, SCOTT
Monroe, NC

Heating contracting without a license.
Complaint and Summons filed.
Permanent Injunction Judgment filed
1/25/13.