

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

January 2014

## BOARD MEMBERS

**William H. Eubanks**  
Chairman  
Plumbing Inspector  
Wilmington, NC

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Vice-Chairman  
Plumbing Contractor  
Lenoir, NC

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Secretary/Treasurer  
NCSU Engineer  
Raleigh, NC

**William H. Sullivan III**  
Air Conditioning Contractor  
Greensboro, NC

**Jeffrey R. Dunn**  
Fire Sprinkler Contractor  
Dunn, NC

**Robert J. Owens**  
Public Member  
Raleigh, NC

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

1109 Dresser Court  
Raleigh, NC 27609

919-875-3612

[www.nclicensing.org](http://www.nclicensing.org)

## Fire Sprinkler Community Loses a Valued Member

By Dale L. Dawson, Executive Director

On January 25, 2014, we all lost a good friend when Randall Harris of Mt. Gilead passed away unexpectedly. On behalf of the Board members and staff we want to express our condolences to Randall's wife, Lucy, and his family.

Randall was a great friend to the Board and unselfishly exhibited a true spirit of giving back to his industry. Involved in the fire sprinkler industry for over 40 years and owner of Fire Technologies, Inc. for the past 10 years, he was a great supporter of residential fire sprinkler systems as a means to save lives.

When the Board first began considering the creation of the Limited Residential Fire Sprinkler Contractor license in 2009, Randall was one of several individuals who volunteered his time and talents in helping create the 16 hour educational course that is required for licensed plumbing contractors to obtain the Residential Fire Sprinkler Contractor License.

Randall's spirit of service to others did not stop once the course was created. He felt it was important that he personally attend every Residential Fire Sprinkler Contractor education class that was offered in North Carolina, not just as an observer but to lend his knowledge and experience as one of the instructors in the class.

Since the classes began in 2010, Randall attended all but one on his own time and at his own expense; his only absence being due to health issues that did not allow him to participate.

As a professional, I can say that the fire sprinkler industry is much better as a result of Randall's many contributions, and as an individual I am much better for having known Randall as a friend.

Randall will be greatly missed and fondly remembered.



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## Is Your License Currently Active?

All licenses issued by the Board expire on December 31st of each year. If you have not yet renewed your license for 2014, it is expired and you cannot legally carry out any activity which requires a license, including bidding, quoting, contracting, or performing work.

### **There is no grace period after the license expires on December 31st.**

Any activities performed by a licensee with an expired license is considered to be work by an unlicensed individual, and disciplinary action can be taken by the Board.

Many licensees overlook their renewal and don't realize that the license is expired until they try to obtain a permit from the local inspection department, which cannot legally issue the permit to an expired licensee.

If you are in doubt or wish to verify that you have renewed your license click on the license search page of our website, enter your license number and select your home state. If your license information is displayed, your license is current. If the message 'No records found for the criteria entered.' is displayed, your license is not current.

You may renew your license online with a MasterCard or VISA by clicking the link near the top of our homepage. If you wish to mail or deliver a renewal form and check or money order to the office, or you may click on the Forms page of our website to print the appropriate form.

A late processing fee of \$25.00 will apply to all renewals not received in our office by January 31st.

If you have any questions regarding license renewal, please contact our office at 919-875-3612.

## Residential Fire Sprinkler Installation Contractor Class

The 16 hour course required for currently licensed plumbers who wish to obtain the Residential Fire Sprinkler Installation Contractor license is currently in the planning stages. Information regarding the class will be posted on the website when available. ***This will be the only class held in 2014.***

At the conclusion of the class students may take the RFSIC examination, or can opt to take the exam at a later date. The examination fee is \$100.00, and completed applications and class registration must be received in the Board office at least four weeks prior to the class date. Upon successful completion of the class and passing of the exam, the license fee is \$130.00 annually. For more information concerning the class, including the registration procedure and cost, please visit the Exam Information page of our website.

# Gas Conversions Are Not A Minor Repair

*This is another in a series of interpretations on the limits of the minor repair/replacement exemption. Evolving risk to the public or other trades, changing complexity of the tasks, and effects on equipment operation may result in the Board revisiting interpretations from time to time.*

## Basis for interpretation:

### North Carolina General Statute 87-21(c)

The provisions of this Article shall not apply to those who make minor repairs or minor replacements to an already installed system of plumbing, heating or air conditioning, but shall apply to those who make repairs replacements or modifications to an already installed fire sprinkler system. Minor repairs or minor replacements within the meaning of this subsection shall include the replacement of parts in an installed system which do not require any change in energy source, fuel type, or routing or sizing of venting or piping.

### 21 North Carolina Administrative Code 50.0506

#### MINOR REPAIRS AND ALTERATIONS

(e) Any connection, repair or alteration which if poorly performed creates risk of fire or exposure to carbon monoxide, open sewage or other gases is not a minor repair, replacement or alteration.

#### Background:

The importance of competence when converting a gas appliance to run on another type of fuel (LP to natural or natural to LP) must not be overlooked. If not performed correctly, the conversion of gas appliances can result in the improper operation of the appliance, an increased risk of fire/explosion, or exposure of the occupants of a structure to deadly carbon monoxide gas.

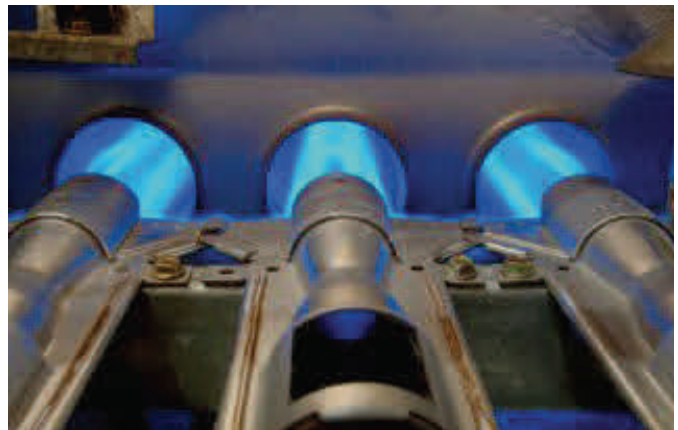
Carbon monoxide gas is often referred to as “the silent killer” due to the fact that it is colorless and odorless. In the absence of a properly functioning carbon monoxide detector, the occupants of a contaminated building may have no warning of the presence of danger. Low level exposure to carbon monoxide poisoning can result in heart, lung, and nerve system disorders.

Exposure to higher levels of carbon monoxide are often swift and serious. A victim becomes sleepy, falls unconscious, and death may follow. Carbon monoxide also has a cumulative effect, meaning that it builds up in the body over time, so even low levels of exposure may lead to death.

With recent developments and sophistication in the technologies now being used in heating equipment, the conversion of a gas appliance often requires the disconnection/reconnection and removal/replacement of a number of other components including the fuel gas line, pressure regulator, gas valve, burners, or other components. In recent years, the conversion has become more involved than switching an orifice or making an adjustment with a screwdriver.

#### What you need to know:

This is a job for a properly trained and experienced individual who holds the appropriate license or works as an employee under the direct supervision of a properly licensed contractor. An individual who performs a gas appliance conversion incorrectly, resulting in property loss, personal injury or death may be disciplined by the board or subjected to court action. This risk also extends to employers who allow employees to perform work without the required supervision.



## North Carolina State Agencies

<b>NC Department of Insurance</b>	<b>919-661-5880</b>	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  
E-mail: [information@nclicensing.org](mailto:information@nclicensing.org)

### Dale Dawson

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Business & Technology Manager  
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### Karen Jolliffe

Exam Coordinator  
Extension 230 or [kjolliffe@nclicensing.org](mailto:kjolliffe@nclicensing.org)

### Lauren Getzie

Complaint Coordinator  
Extension 211 or [complaint@nclicensing.org](mailto:complaint@nclicensing.org)

### Maddison Dirks

Receptionist  
Extension 213 or [mdirks@nclicensing.org](mailto:mdirks@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](mailto:jtodaro@nclicensing.org)

### Moises "Jimmy" Jimenez

Southeastern Region  
910-409-7127 or [mjimenez@nclicensing.org](mailto:mjimenez@nclicensing.org)

### Tom Johnston

North Central Region  
336-906-9141 or [tjohnston@nclicensing.org](mailto:tjohnston@nclicensing.org)

### Derek Farmer

Northeastern Region  
919-602-9095 or [dfarmer@nclicensing.org](mailto:dfarmer@nclicensing.org)

### David Boulay

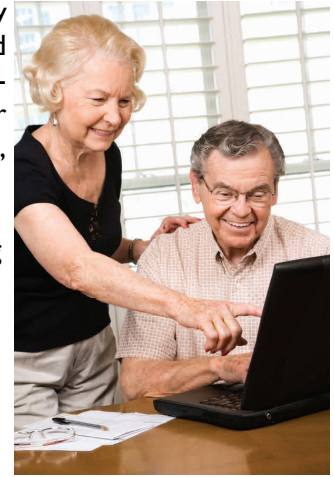
Western Region  
828-234-2719 or [dboulay@nclicensing.org](mailto:dboulay@nclicensing.org)

To view a regional map and listing of counties, please visit our website at [www.nclicensing.org](http://www.nclicensing.org) and click on the "Administrative Officers" button.

# Online Renewal and Forms Available on Board Website

Online license renewal is now available for licensees who wish to do so and can pay the renewal fee with a MasterCard or Visa. The online renewal link can be found on the 'Home' page of our website. You will also find a link to a step-by-step tutorial available to guide licensees through the process. If you do not have your username and password, or have any other questions regarding online renewal, please contact DJ Soltys at 919-875-3612, ext. 203.

You may obtain any of the following forms 24 hours a day, 7 days a week by visiting our website and clicking on the '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—2014 without Sub-licensees
3. Renewal form—2014 with Sublicensees
4. Renewal form—2014 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](http://www.ncplumbing.org)
- [www.ncheating.org](http://www.ncheating.org)
- [www.ncfiresprinkler.org](http://www.ncfiresprinkler.org)

## 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:

<u>Name</u>	<u>City/Town</u>	<u>Date</u>	<u>Name</u>	<u>City/Town</u>	<u>Date</u>
Allsbrook, Ronald E.	Scotland Neck, NC	12/3/2013	Hilderbrand, Brian	Connelly Springs, NC	10/22/2013
Bradshaw, Joshua	Deep Run, NC	11/4/2013	Key, Harold D.	Greensboro, NC	11/13/2013
Burkhardt, Jerry C.	Carolina Beach, NC	11/26/2013	Lowe, Kenneth B.	Charlotte, NC	10/16/2013
Call, Clay Isaac	Raleigh, NC	10/30/2013	Overby, Earl	Charlotte, NC	10/22/2013
Clifton, Michael L.	Walkerton, NC	9/26/2013	Patterson, Mark L.	Cramerton, NC	12/17/2013
Dawson, Herman S.	Carolina Beach, NC	11/26/2013	Polity, Bruce R.	Wilmington, NC	11/14/2013
Depriest, Blake	Wilson, NC	10/30/2013	Richter, Leroy G.	Brevard, NC	12/12/2013
Eason, James B.	Kenly, NC	11/25/2013	Wetzel, Frank J.	High Point, NC	11/4/2013
Everhart, L.P.	Morehead City, NC	10/29/2013	Whittington, Keith W.	King, NC	12/20/2013
Griffin, Clyde M.	Asheville, NC	12/12/2013			

## 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.

<u>Name</u>	<u>City/Town</u>	<u>Date</u>	<u>Name</u>	<u>City/Town</u>	<u>Date</u>
Andersen, Steven J.	King, NC	12/7/2013	Popp, Robert	Durham, NC	11/8/2013
Bailey, Gary	Zebulon, NC	12/11/2013	Risley, Shawn L.	Sapphire, NC	11/5/2013
Bolin, Charles B.	Waynesville, NC	11/15/2013	Sherrill, Billy B Jr.	Clyde, NC	11/15/2013
Costner, Carl A.	Marion, NC	11/18/2013	Speer, Rickie	Winston-Salem, NC	12/4/2013
Galindo, Jose G.	Winston-Salem, NC	11/8/2013	Stennett, William A.	Kannapolis, NC	11/18/2013
Harris, Joseph W.	Lenoir, NC	11/18/2013	Stephens, Arthur	New Brunswick, NJ	11/21/2013
Hertz, Steven B.	Franklin, NC	11/7/2013	Taylor, Basil	High Point, NC	11/18/2013
Hollis, Brian	Princeton, NC	11/25/2013	Teague, Mark F.	Cullowhee, NC	11/12/2013
Legette, Michael	Winston-Salem, NC	11/8/2013	Tran, Ho	Greensboro, NC	3/26/2013
Marmol, Jose O.	Cornelius, NC	11/14/2013	Wilson, Darrell S.	Morganton, NC	11/18/2013
Pavlic, John	Sanford, NC	11/5/2013	Worrell, Dave	Louisburg, NC	12/5/2013
Peterson, Robert C.	Fayetteville, NC	10/30/2013			

## 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](mailto:information@nclicensing.org)) or upon written request to the Board's office.

**Bullard, Gary D.**  
**Carolina Air Heating & Cooling,**  
**Inc.**

**Carthage, NC**  
**License# 23549, 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 not reviewing the change-out of a condensing unit and installation of a new a/c coil while the work was in progress, violated the State Mechanical Code by failing to install an aux drain/float switch on a coil.

Gary D. Bullard signed a Proposed Resolution Agreement 09/18/2013. The license of Gary D. Bullard, number 23549 H-2&H3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. By 09/27/2013, the contractor shall obtain a permit from the local code enforcement official, return to this structure and correct any and all code violations that still exist. The contractor shall contact the building owner in advance, arrange a time to perform this work and shall receive a final inspection by 09/27/2013. This work shall be performed at the expense of the contractor. In addition, licensee must enroll in, attend and complete the Special Board Laws & Rules course, and enroll in attend and completed the series of Special Mechanical Code courses. After complaint to the Board, the licensee obtained a permit and received an ap-

proved final inspection. If 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 listed above.

**Bunn, Preston**  
**Preston L. Bunn Heating & A/C**  
**Deep Run, NC**  
**License# 23407, 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 failed to request final inspection within 10 days of substantial completion of the work. Preston Bunn signed a Proposed Resolution Agreement 10/29/2013. The license of Preston Bunn, number 23407 H-3-I, and that of the firm shall be placed on supervised 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 ninety (90) days, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions listed above.

**Caudle, William G.**  
**Yadkin Valley Fire Protection,**  
**Inc.**  
**Lexington, NC**  
**License# 24636, FSIC**  
**(sub-licensee)**

Allegations of misconduct in the business of fire sprinkler inspections in that

the licensee issued a 1099 form to an unlicensed individual in violation of Board rule 50.0512.

William Caudle signed a Proposed Resolution Agreement 10/29/2013.

The license of William Caudle, number 24636 FSIC, 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 shall enroll in, attend and complete the Special Board Laws & Rules course, and 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. After complaint to the board, the licensee submitted copies of all employees' W-4's. 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 listed above.

**Fields, Matthew T.**  
**Fields Plumbing**  
**Timberlake, NC**  
**License# 18991, P-I**  
**(retired 12/31/2008)**

Allegations of misconduct and working without a license 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, and performed work that requires a license after the

license retired.

Resolution Conference held 10/04/2013.

Matthew Fields signed a Resolution Conference Agreement 10/04/2013. Matthew T. Fields shall be allowed to retest for the Plumbing Class I license only after completing the following requirements: 1) Attend and complete the Special Contractor Business Management courses approved by the Board's Executive Director; 2) Attend and complete the Special Board Laws & Rules course approved by the Board's Executive Director; 3) Submit to the Board a proper and thorough application for examination. Upon successfully obtaining the Plumbing Class I license by examination and paying the required annual licensing fee, the license, number 18991 P-I and the license of the firm shall be suspended for a period of ninety (90) days, beginning when this agreement is approved by the Board. In the event the licensee violates the conditions of suspension, his license will be permanently revoked. Upon successful completion of the suspension, the license of Matthew Fields, number 18991 P-I 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 permanently revoked.

**Greene, Edmond W. Jr.  
E.W. Greene & Son, LLC  
Chadbourn, NC  
License# 06535, 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, and failed to obtain a final inspection within 10 days of substantial completion of all phases of work.

Edmond Greene signed a Proposed Resolution Agreement 10/14/2013. The license of Edmond Greene, number 06535 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 probationary period, licensee shall return to the property at 1685 Old 74 Hwy, review the work performed, and obtain a final inspection by 10/18/2013,

and enroll in, attend and complete the Special Board Laws & Rules course. After complaint to the Board, the licensee obtained a permit and a final inspection. If 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 listed above.

**Helms, Jeffrey S.  
Helmsway Heating & Air Conditioning  
Monroe, NC  
License# 28630, H-3-I**

Allegations of misconduct in the business of heating contracting in that the licensee paid an unlicensed individual as a subcontractor and issued a 1099 Form to him at the end of each year. Jeffrey Helms signed a Proposed Resolution Agreement 06/14/2013. Referred to the Review Committee to determine compliance with signed agreement. The license of Jeffrey Helms, number 28630 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 thirty (30) days of 06/14/2013, licensee must assure that his license has been listed with the Board in the name he currently operates his business. After complaint to the board, the licensee completed a trade name change to Helmsway Heating & Air Conditioning on 07/24/2013. Licensee shall enroll in, attend and complete the Special Board Laws & Rules course, submit copies of all employees W-4's, and by the end of the probation, submit a copy of all employee W-2's. 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 listed above.

**Hicks, Craig D.  
Clayton, NC  
License# 19169, H-3-I  
(REVOKED, effective 04/15/2005)**  
Request for reinstatement of revoked

license.

Resolution Conference held 09/30/2013.

Craig D. Hicks signed a Resolution Conference Agreement 09/30/2013. Review Committee recommended approving request to sit for the examination to obtain license. Prior to submitting an application for examination, Craig Donovan Hicks shall enroll in, attend and complete the Special Contractor Business Management courses, enroll in, attend and complete the series of Special Mechanical Design courses, and the Special Board Laws & Rules course. Upon becoming licensed, if the Board receives a verifiable complaint then his license shall be permanently revoked.

**Jones, Thomas Ray Sr.  
Tommy's Heating & A/C  
Durham, NC  
License# 7622, H2&3-I**

Allegations of misconduct 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 properly oversee the complete project as the licensee of record.

Thomas Ray Jones Sr. signed a Proposed Resolution Agreement 09/30/2013.

The license of Thomas Ray Jones Sr., number 7622 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) 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 listed above.

**Mabe, Jason W.  
A&M Contractors, Inc.  
Ellerbe, NC  
License# 28648, PH-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.

Resolution Conference held



10/03/2013.

Jason Mabe signed a Resolution Conference Agreement 10/03/2013.

The license of Jason Wayne Mabe, number 28648 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 probationary period, licensee shall enroll in attend and completed the series of Special Mechanical Design courses. 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 listed above.

**Macary, Andrew A.**

**PowerSecure, Inc.**

**Ellerbe, NC**

**License# 17780, P-I**

Allegations of misconduct and working without a license 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, and contracted and performed work outside his current licensing qualifications.

Resolution Conference held  
10/04/2013.

Andrew Amin Macary signed a Resolution Conference Agreement  
10/03/2013.

The license of Andrew Amin Macary, number 17780 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, within 120 days from 10/03/2013, the licensee shall have all Goldsboro, NC water heater replacements permitted under his license receive approved final inspections. 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 listed above.

**Martin, Danny C.**

**Air Control Enterprises**

**Wilmington, NC**

**License# 11046, H-I, 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, the installation was not performed properly or in a workmanlike manner, violated the State Mechanical Code, failed to ensure that a heat loss/heat gain calculation was performed, and failed to provide adequate supervision for work performed under his license.

Danny Martin signed a Proposed Resolution Agreement 09/30/2013.

The license of Danny Martin, number 11046 H-I, 2&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, licensee shall enroll in, attend and complete the series of Special Mechanical Code courses, 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 six (6) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions listed above.

**Mason, Edward**

**Mason's Plumbing, Inc.**

**Clemmons, NC**

**License# 09390, P-I**

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to obtain a permit in accordance with the water heater permit exemption, violated the State Plumbing Code by failing to install an expansion tank and insulate the exposed water piping in the water heater closet; and at another job contract for the same homeowner, failed to rodent proof hole in wall under the sink that water piping penetrates.

Edward Mason signed a Proposed Resolution Agreement 10/16/2013.

The license of Edward Mason, number 09390 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, licensee shall enroll in, attend and complete the series of Special

Plumbing Code and Design courses and the Special Board Laws & Rules course. Within seven (7) days of the approval of this order, the contractor shall obtain a permit from the local code enforcement official, return to 319 Oak Arbor Lane and correct any and all code violations that still exist. 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 twenty-five (25) days. This work shall be performed at the expense of the contractor. 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 listed above.

**Nowlin, Joshua**

**Nowlin Enterprises**

**Concord, NC**

**License# 30567, H-2&3-I**

Allegations of misconduct in the business of heating contracting in that the licensee engaged in business under a different name or style of business than appears on his license, the licensee, who did not have his license listed in the name of Hartz Heating & Cooling, assisted an unlicensed individual, who was not a payroll employee of Nowlin Enterprises, with the installation of split system heat pump units contracted by the firm Hartz Heating & Cooling.

Joshua Nowlin signed a Proposed Resolution Agreement 09/09/2013.

The license of Joshua Nowlin, number 30567 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 probationary period, licensee shall only enter into properly administered joint venture contracts with other properly licensed contractors, enroll in, attend and complete the Special Board Laws & Rules course, and assure that his license is listed with the Board in the name that he currently operates his business. 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 listed above.

**Pearson, Kevin R.**  
**Tidewater Energy**  
**Saratoga, NC**  
**License# 21145, FP**

Allegations of misconduct in the business of fuel piping and plumbing contracting in that the licensee, who works for Tidewater Energy in Saratoga, NC, verified the work experience for an exam applicant who worked for another branch facility location of Tidewater Energy in Washington, NC, which did not have a qualifier, allowed his license to be used by both office locations, allowed his license number to be used to permit, perform, and inspect work contracted out of the Tidewater Energy location in Washington, NC.

Kevin Ray Pearson signed a Proposed Resolution Agreement 10/16/2013. The license of Kevin R. Pearson, number 21145 FP, 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, licensee shall enroll in, attend and complete the Special Board Laws & Rules course. Licensee must only purchase permits on jobs where the licensee holds the contract with a licensed general contractor or the owner, where the licensee receives all of the contractual payment from the licensed general contractor or the owner, where a licensee of the firm or a properly licensed and qualified technician of the firm supervises the work and where the installation is performed by the licensee of the firm or bona-fide employees of the licensee of the firm. If 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 listed above.

Phillips, James R.  
 Lumberton, NC  
 License# 18757, H-3-I  
 Allegations of misconduct in the busi-

ness of heating contracting in that the licensee, who did not have his license issued in the name of Robeson County Schools, performed for Robeson County Schools the installation and repair of hvac equipment (package units, split heat pumps, a/c systems), performed the installation and design of ductwork for commercial systems under 15 tons, failed to obtain permits prior to commencing work, supervised and verified an applicant's experience to sit for and take the H-3-I exam.

James Phillips signed a Proposed Resolution Agreement 09/19/2013. The license of James R. Phillips, number 18757 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, licensee shall 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 ninety (90) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions listed above.

**Pruett, Darryl D.**  
**Smoky Mountain Propane, LLC**  
**Sylva, NC**  
**License# 21933, FP**

Allegations of misconduct and incompetence in the business of fuel piping in that the licensee failed to pull the required permit for the installation of the fuel piping which is a violation of GS 87-21 section .0402, failed to rodent proof penetrations, failed to properly support fuel piping as required by the gas code, yard line was approximately 2" below grade which did not meet the minimum gas code, and failed to properly supervise the installation of the fuel piping, which was a violation of GS 87-21 section .0406.

Darryl D. Pruettt signed a Proposed Resolution Agreement 09/23/2013. The license of David Pruettt, number 21933 FP, 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, licensee shall enroll in, attend

and complete the series of Special Fuel Gas Code and Design courses, 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 listed above.

**Service, Bruce E. II**  
**Shallotte, NC**  
**License# 31022, P-I**

Allegations of misconduct in the business of plumbing contracting in that the licensee contracted to perform the trenching and burying of the water service line and the installation of a used water softener, while his license was listed as a sub-licensee under a qualifier of another company, failed to obtain a permit prior to commencing work, failed to obtain a written contract for the scope of work performed, installed used equipment that was not approved for re-installation, and failed to comply with the Board's rules and regulations on bona-fide employees by paying an unlicensed individual in cash without withholding taxes,

Bruce E. Service signed a Proposed Resolution Agreement 09/30/2013. The license of Bruce E. Service, number 31022 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, the licensee agreed to hire, at his own expense, a licensed plumbing contractor, which contractor shall obtain a permit, correct any and all code violations with the installation and obtain a final inspection by 10/11/2013. Licensee must provide the Board with a copy of the final inspection and project invoice. After complaint to the Board, a permit and final inspection was obtained. Licensee shall enroll in, attend and complete the series of Special Plumbing Code and Design courses and the Special Board Laws & Rules course. If the licensee violates the conditions of probation, his license will be suspended for a period of ninety (90) days, with the re-

quirement that prior to the suspended license being reinstated he must comply with all of the probation provisions listed above.

**Sheridan, John R.**  
**John Sheridan Heating**  
**& Air Conditioning**  
**Belmont, NC**  
**License# 13044, H-3-I**

Allegations of misconduct and working without a license in the business of heating contracting in that the licensee contracted and performed heating group two work without valid license qualifications.

John Sheridan signed a Proposed Resolution Agreement 10/16/2013.

Referred to the Review Committee to determine compliance with signed agreement.

The license of John Sheridan, number 13044 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, licensee shall 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 six (6) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions listed above.

**Smith, Edward D.**  
**Doug Smith Plumbing**  
**Repair Service, Inc.**  
**Aberdeen, NC**  
**License# 19055 P-I & RFS-IC**

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee violated the State Plumbing Code.

Bruce E. Service signed a Proposed Resolution Agreement 09/30/2013.

The license of Edward D. Smith, number 19055 P-I & RFS-IC 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, licensee shall enroll in, attend and complete the series of Special Plumbing Code and Design courses, 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 listed above.

**Stargardt, Stephen L.**  
**iAir, Inc.**  
**Cary, NC**  
**License# 30713, H-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, obtained money and failed to complete installation (job abandonment), failed to carry out adequate ductwork installation and design, violated the minimum standard of the North Carolina State Mechanical Code, and licensee was under the influence of narcotics during the contracting and installation of this job. Resolution Conference held 10/01/2013.

Stephen Stargardt signed a Resolution Conference Agreement 10/01/2013. The license of Stephen L. Stargardt, number 30713 H-2&3-I, and the license of the firm shall be suspended for a period of three (3) months. Among other things, the license shall be restored at the end of the suspension if the licensee submits to the Board a substance abuse (drug panel) test showing that the licensee has not used illegal drugs. If the licensee fails to submit the substance abuse (drug panel) test or submits the substance abuse (drug panel) test that reveal any positives for the use of illegal drugs, then the license shall be permanently revoked. The drug test shall be paid for by the licensee and shall be acquired from a State approved drug testing facility. Upon successful completion of the suspension, his license, number 30713 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 probationary period, each and eve-

ry quarter during the probation the licensee must submit to the Board a substance abuse (drug panel) test showing that the licensee has not used illegal drugs, enroll in, attend and complete the series of Special Mechanical Code courses and the Special Contractor Business Management courses. If the licensee violates the conditions of probation, his license will be permanently revoked.

**Transou, Robert Sr.**  
**Transou's Heating & A/C**  
**Germanton, NC**  
**License# 09837 H-3-I**

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to perform a load calculation, and failed to obtain a permit prior to commencing work.

Robert Transou signed a Proposed Resolution Agreement 07/11/2013.

Additional complaint received 07/31/2013.

The license of Robert Transou, number 09837 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, licensee shall enroll in, attend and complete the series of Special Mechanical Code courses, and the Special Board Laws & Rules course. Within ten (10) days of the approval of this order the contractor shall obtain a permit from the local code enforcement official, return to 6390 Baux Mountain Road, perform a Load Calculation and submit that Load Calculation to the Board for review, and correct any and all code violations that still exist including sizing issues. 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 thirty (30) days. This work shall be performed at the expense of the contractor. 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 listed above

**Wilson, Anthony H.**  
**Bladenboro, NC**  
**License# 16523 PH-3-I**

Allegations of misconduct in the business of plumbing contracting and heating contracting in that the licensee, while he was a part time employee with Bladen County Schools Maintenance Division, failed to list his license in the name of Bladen County Schools, supervised work for an unlicensed individual for which a license was required, secured permits on occasion for large projects as needed but failed to obtain permits on smaller jobs or equipment change outs, performed the installation and repair work of electrical systems, installed and repaired hvac systems (installation and repair of hvac equipment and ductwork as required), installed and repaired plumbing systems (replacement, installation, and repair of fixtures, building sewers/drains, and water distribution/water service.

Anthony Wilson signed a Proposed Resolution Agreement 09/19/2013.

The license of Anthony Wilson, number 16523 PH-3-I, and that of the firm shall be placed on unsupervised probation for a period of 12 months.

Among other things during the probationary period, licensee shall 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 ninety (90) days, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions listed above.

**Wurster, Brant D.**  
**Green Horizon**  
**Durham, NC**  
**License# 28396, 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, violated the minimum standard of the North Carolina State Mechanical Code, failed to provide adequate supervision, and did not hold a

written detailed contract.  
 Resolution Conference held  
 09/30/2013.

Brant Wurster signed a Resolution Conference Agreement 09/30/2013.

The license of Brant Wurster, number 28396 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 probationary period, licensee shall enroll in, attend and complete the series of Special Mechanical Code courses, 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 nine (9) months, with the requirement that prior to the suspended license being reinstated he must comply with all of the probation provisions listed above.

## 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 in violation of the Board's Laws and Rules or in circumstances where licensees are found to be in violation of any order(s) issued by the Board.

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

Allegations of heating contracting without a license in contempt of prior order of the Court.

Defendant found in civil contempt by Order dated 10/30/13 and ordered to pay fine in amount of \$200.00 and costs in the amount of \$260.00.

**BROWN, TAMMY**  
**Walnut Cove, NC**

Heating contracting without a license. Judgment of Permanent Injunction filed 10/14/13 enjoining the Defendant from engaging in the business of plumbing, heating or fire sprinkler contracting until properly licensed.

**CARTER, DAVID PAUL**  
**d/b/a C&H REPAIR SERVICES**  
**Whiteville, NC**

Allegations of heating contracting without a license.

Judgment of Permanent Injunction filed enjoining Defendant for engaging in heating contracting on 10/9/13.

**GERALD, JAY FRANKLIN**  
**Wilmington, NC**

Allegations of heating contracting without a license.

Judgment of Permanent Injunction filed 11/6/13 enjoining Defendant from performing heating contracting until properly licensed.

**GHANTT, WESLEY S.**  
**d/b/a COMFORT NOW**  
**Gastonia, NC**

Allegations of heating contracting without a license in contempt of prior order of the Court.

Defendant found in contempt by Order dated 9/6/13 and sentenced to 45 days in jail.

**GOIZ, CONSEPCION M.**  
**d/b/a CONCHO'S REPAIR SERVICE**

**Winston-Salem, NC**

Heating contracting without a license.

Judgment of Permanent Injunction filed 10/8/13 enjoining the Defendant from engaging in the business of plumbing, heating or fire sprinkler contracting until properly licensed.

**HUDLER, KELLY**  
**d/b/a KJ's HEATING AND COOLING**  
**Taylorsville, NC**

Allegations of heating contracting without a license.

Order of Arrest filed on 10/10/13.

**JOHNSON, LEE SHAWN**  
**d/b/a COMFORT ZONE HEATING & COOLING & PLUMBING**  
**Charlotte, NC**

Allegations of heating contracting without a license.

Judgment of Permanent Injunction filed 11/22/13 enjoining defendant from contracting heating work until properly licensed.

**KANUPP, DAVID GIL**  
**d/b/a AMERICAN FIRE & EQUIPMENT**  
**Hickory, NC**

Allegations of fire sprinkler contracting without a license; Order filed 10/28/13 documenting Defendant is aware he cannot contract without a license.

**MAY, TONY DANIEL**  
**Durham, NC**

Heating contracting without a license in contempt of prior Order of the court. Defendant found in contempt by Order filed 11/6/13 and sentenced to 30 consecutive days in jail.

**MENDOZA, CESAR**  
**d/b/a CESAR'S ENTERPRISE ELECTRICAL, AIR CONDITIONING & PRESSURE WASHING**  
**High Point, NC**

Allegations of heating contracting without a license.

Judgment of Permanent Injunction filed 11/12/13 enjoining the defendant from engaging in heating contracting until licensed to do so.

**MISSROON, MARK**  
**Jamestown, NC**

Plumbing contracting without a license. Judgment of Permanent Injunction filed 9/24/13 enjoining the Defendant from engaging in the business of plumbing, heating or fire sprinkler contracting until properly licensed.

**PHILLIPS, JASON**  
**Parkton, NC**

Allegations of heating contracting without a license; Judgment of permanent injunction filed on 10/31/13 enjoining the defendant from engaging in heating contracting until licensed to do so.

**RESENDIZ, FRANCISCO**  
**Mebane, NC**

Allegations of heating contracting without a license.

Judgment of Permanent Injunction filed 10/30/13 enjoining the defendant from engaging in heating contracting until licensed to do so.

**SANTIAGO, ANGEL ARLETTE**  
**Hampstead, NC**

Allegations of heating contracting without a license.

Judgment of Permanent Injunction filed 11/14/13 enjoining the defendant from engaging in heating contracting until licensed to do so.

**TILLMAN, CURTIS**  
**d/b/a TILLMAN HVAC SERVICES**  
**Charlotte, NC**

Allegations of heating contracting without a license.

Judgment of Permanent Injunction filed 10/8/13 enjoining the defendant from engaging in heating contracting until licensed to do so.