

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

July 2014

BOARD MEMBERS

William H. Eubanks
Chairman
Plumbing Inspector
Wilmington, NC

Thomas G. Proffit
Vice-Chairman
Plumbing Contractor
Lenoir, NC

John N. Royal
Secretary/Treasurer
NCSU Engineer
Raleigh, NC

Jeffrey R. Dunn
Fire Sprinkler Contractor
Dunn, NC

Robert J. Owens
Public Member
Raleigh, NC

D. Hunter Edwards Jr.
Heating Contractor
Charlotte, NC

Vacant
Air Conditioning Contractor

William H. Sullivan III
Board Member Emeritus
Greensboro, NC

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

1109 Dresser Court
Raleigh, NC 27609

Phone: 919-875-3612

Limited Restricted Plumbing Contractor License Information

Rules for the new license enacted by the North Carolina General Assembly during the 2012-2013 Session have been published and the licensing applications are now available. The dates and locations for the related plumbing and backflow certification classes have also been scheduled. Individuals interested in obtaining the new license are encouraged to read the full article and course offerings on pages 2 and 3 of this newsletter.

Residential Fire Sprinkler Installation Contractor License Class Offered

The 16 hour course required for individuals who wish to obtain the Residential Fire Sprinkler Installation Contractor license has been scheduled for October 28 & 29, 2014, in Greensboro, NC. For more information regarding this license, please refer to the article on page 4 of this newsletter.

Reminder for Plumbing Contractors Engaging in Well Pump Installation/Repair/Replacement

Plumbing Contractors who are not certified by the North Carolina Well Contractors Certification Commission, but who engage in the business of installing, repairing and or replacing well pumps or piping are reminded of the educational requirement to obtain the certification exemption.

In order to perform work inside a well without violating Well Commission rules and facing disciplinary action, a plumbing contractor must hold an active plumbing license from this Board and must have completed a course on well protection, sanitation and sealing no more than two years prior to performing the work.

In other words, plumbing contractors who wish to engage in well work should complete the required class every two years in order to remain in compliance. For more information regarding this exemption please refer to page 4 of this newsletter.

Table of Contents

Items of Interest.....	1	Letter of Caution Report.....	6
Restricted Limited Plumbing Contractor.....	2	Consent Agreement Report.....	6
Residential Fire Sprinkler Installation Contractor.....	4	Resolution Committee Report.....	7
Well Pump Certification Exemption.....	4	Attorney's Report.....	19
Website Information.....	5		

Limited Restricted Plumbing Contractor License

In accordance with laws enacted by the North Carolina General Assembly during the 2012-2013 Legislative Session, the Board has published rules detailing the requirements for qualification and examination for individuals who wish to obtain a Limited Restricted Plumbing Contractor License.

This license is for persons who do not possess a Plumbing Contractor License, but wish to engage in the contracting or installation, repair or replacement of exterior building sewer piping, exterior water service piping of 2" diameter or less, exterior backflow preventers connected to water service piping of 2" diameter or less, and/or water filtration systems or components.

Applicants for this license must comply with one of the following paths to licensure:

1. Establish 1500 hours of full-time experience in the installation, maintenance service or repair of plumbing systems. Up to one-half of the experience may be in academic or technical training related to the field of plumbing.
2. Submit a completed application and fees to the Board.
3. Pass both the business & law part and the technical part of the examination.

OR

1. Hold a currently active license from the North Carolina Irrigation Contractor Licensing Board: **and** hold a Backflow Inspector certification from a North Carolina municipality **or** demonstrate 500 hours of experience in the maintenance service or repair of plumbing system components.
2. Submit a completed application and fees to the Board.
3. Pass both the business & law part and the technical part of the examination.

OR

1. Hold a currently active license from the North Carolina Irrigation Contractor Licensing Board: and hold a Backflow Inspector certification from a North Carolina municipality or demonstrate 500 hours of experience in the maintenance service or repair of plumbing system components.
2. Submit a completed application and fees to the Board **no later than August 31, 2014.**
3. Complete the plumbing code course offered by the Board
4. Pass the laws and rules part of the examination.

Limited Restricted Plumbing Contractor License Courses Offered

This is the plumbing course being offered by the Board for currently licensed irrigation contractors who are interested in applying for the Limited Restricted Plumbing Contractor license before August 31, 2014. Applicants who are approved will be notified of the class date and location that they should attend (based on geographical proximity to the class sites). The two classes offered are as follows:

September 23, 2014 Raleigh, NC

September 25, 2014 Statesville, NC

Backflow Certification Classes Offered

Backflow Certification Course for currently licensed irrigation contractors who do not meet the 500 hour experience requirement and do not currently hold a backflow certification from an NC municipality. The class is a total of 40 hours, and interested individuals must contact the course provider directly for information and registration. The NC Irrigation Contractors' Licensing Board has also approved these classes for 10 credit hours.

Charlotte

Contact CPCC registrations at (704) 330-4223. If you have questions, need to verify costs, or address registration issues, contact the course coordinator, Jasmine Hines located at the Harper Campus (704) 330-4423; email: jasmine.hines@cpcc.edu

August 12	6:00 pm - 10:00 pm
August 14	6:00 pm - 10:00 pm
August 16	8:00 am - 5:00 pm
August 19	6:00 pm - 10:00 pm
August 21	6:00 pm - 10:00 pm
August 23	8:00 am - 5:00 pm
August 26	6:00 pm - 10:00 pm
August 28	6:00 pm - 10:00 pm

Carthage/Kinston

Classes scheduled through NC Rural Water Association. Applications can be obtained at the NCRWA web site or register on-line at www.ncrwa.com. Select Training at the top left of the home page, then select Backflow/CC & Certified Tester Training and then select the class desired. If you have questions you can contact Ronnie West at (919) 812-2940 or Email: ronaldwest@ncrwa.com.

August 4 - 8, 2014 8:00am - 5:00pm
 NCRWA Training Facility
 3744 Hwy 15-501
 Carthage, NC

August 25 - 29, 2014 8:00am - 5:00pm
 Kinston Public Service Building
 2360 Hwy 258 South
 Kinston, NC 28504

Residential Fire Sprinkler Installation Contractor License Class Offered

The Residential Fire Sprinkler Installation Contractor license is available to licensees who currently hold a plumbing license from the Board and have done so for the past two years. Interested individuals must submit a completed application, complete the 16 hour Residential Fire Sprinkler Contractor course and pass the examination.

The dates for this year's class is October 28 & 29, 2014, and it will be held in Greensboro, NC. Attendees may take the exam on-site immediately following the class, or at a later date.

Plumbing Contractors interested in obtaining the license should submit a completed application and fees (which includes class registration and minimal fee) no later than September 31, 2014.

Well Pump Installation, Repair and Replacement Exemption

In 2009, plumbing contractors licensed by this Board were given an opportunity to receive an exemption to the requirement for a Level D Well Certification from the North Carolina Well Contractor Certification Commission.

In order to receive the exemption, the licensed plumbing contractor must attend a course no more than two years prior to the date that the work is performed. Therefore, in order to remain eligible for the exemption, a contractor would need to complete the course every two years.

During the years when the Board required mandatory continuing education as a condition of license renewal, class dates were published on the Board's website. With the elimination of the continuing education program at the end of 2012, the Board stopped listing individual class information on the site.

The website now contains a menu item titled "Education & Providers". Clicking on the menu button will open a new page which list a wide variety of continuing education topics. Clicking on the individual links will open a new document which lists the providers that have informed us of their intention to conduct classes in that particular subject area.

There are currently three providers offering the Well Seal Installation, Protection & Sanitation course. Licensees interested in attending a class should contact the providers below for information on class dates, times, and locations.

Grady Harlow Inc.
Contact: Michael Harlow @ 919-427-3747

North Carolina Plumbing & Mechanical Association
Contact: Jenny Horne @ 704-503-1331

Piedmont Training Group
Contact: Jim Lawson @ 336-454-5756

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
E-mail: information@nclicensing.org

Dale Dawson

Executive Director
Extension 224 or ddawson@nclicensing.org

Eric Hall

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

Dejaya (DJ) Soltys

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

Sharon Pittman

Legal Coordinator
Extension 205 or spittman@nclicensing.org

Karen Jolliffe

Exam Coordinator
Extension 230 or kjolliffe@nclicensing.org

Kerry Waldroup

Complaint Coordinator
Extension 211 or complaint@nclicensing.org

Maddison Dirks

Receptionist
Extension 213 or 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

Moises "Jimmy" Jimenez

Southeastern Region
910-409-7127 or mjimenez@nclicensing.org

Tom Johnston

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

Derek Farmer

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

David Boulay

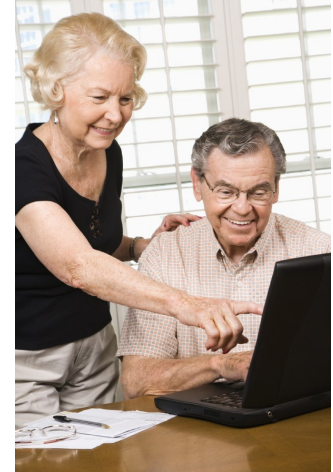
Western Region
828-234-2719 or dboulay@nclicensing.org

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

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

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. Restricted Limited Plumbing Contractor Application (General)
3. Restricted Limited Plumbing Contractor Application (Active Irrigation Contractor licensee)
4. Plumbing, Heating, & Fuel Piping Technician Examination Application
5. Residential Fire Sprinkler Installation Contractor Examination Application
6. Fire Sprinkler Installation & Inspection Contractor Examination Application
7. Fire Sprinkler Inspection Technician Examination Application (no NICET)
8. Fire Sprinkler Inspection Technician Application (NICET)
9. 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.nclumbing.org
- www.ncheating.org
- 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>
Blackledge II, Marion E.	Boone, NC	6/13/2014	Perkins Jr., David R.	York, SC	6/13/2014
Borden Jr., Edward S.	Jacksonville	5/3/2014	Pittman, Jason L.	Richalands	6/19/2014
Butler, Matthew S.	Whiteville	5/27/2014	Poe, Michael T.	Youngsville	6/20/2014
Byrd, Rodney B.	Archdale	6/25/2014	Stout, Mark A.	Salisbury	5/21/2014
Crump, Michael G.	Midland	5/7/2014	Swafford, Ronny	Winston Salem	5/16/2014
Deese, Wilbert A.	Albemarle	6/11/2014	Tutor, Charles	Raleigh	5/1/2014
Durham, Howard C.	Kannapolis	5/28/2014	Tyson, Cecil H.	Kinston	5/15/2014
Gerner, Michael J.	Gibsonville	6/30/2014	Warters, Charles L.	Greenville	6/10/2014
Mabe, Mark K.	Rural Hill	7/3/2014	West, Jr., Thomas E.	Leland	5/29/2014
Mansfield, Jimmy R.	Wilmington	5/2/2014	Wilson, Kurtiss R.	Bolivia	5/27/2014
Martin, Christopher S.	Kernersville	6/16/2014			

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>
Beblo, Daniel L.	Richlands	6/19/2014	Moorefield, Glen	Gibsonville	6/30/2014
Bergen, Charlie	Waynesville	5/2/2014	Moseley, Jr., James R.	Wilmington	5/29/2014
Choquette, Eric R.	Raleigh	5/21/2014	Norton, Britt L.	Raleigh	4/10/2014
Crawford, Travis L.	Winston Salem	5/22/2014	Perez, Ronaldo E.	Wilkesboro	6/11/2014
Descoteaux, Marc	Zebulon	5/8/2014	Raynor, Brian D.	Benson	6/4/2014
Douglas, Erik M.	Swannanoa	6/4/2014	Reinman, Christopher F.	Weaverville	6/17/2014
Dunbar Jr., David L.	Mills River	6/18/2014	Scalier, Boris T.	Hope Mills	5/16/2014
Goodwen, James	Pinetops	5/30/2014	Sparks, Howard E.	Saluda	5/22/2014
Gougeon, Rick P.	Little Switzerland	4/29/2014	Stansell, Bradford B.	Wilmington	5/28/2014
Harvey, James E.	Burlington	5/21/2014	Stewart III, Charles R.	Durham	5/21/2014
Horton, Willie C.	Kenly	6/4/2014	Teall, Gregory M.	Ernul	6/19/2014
Isenhour, Jamie S.	Catawba	5/7/2014	Thomas, Clint	Columbus	2/19/2014
Kester, Michael C.	Crouse	6/11/2014	Wilson, Brandon C.	Canton	6/17/2014
McArthur, Ronnie	Randleman	5/9/2014			

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.

Bruce, Tradd C.
TBA Construction, LLC
Union, SC
License# 25269, P-I

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

Resolution Conference held 06/02/2014. Tradd Bruce signed a Resolution Conference Agreement 06/02/2014.

The license of Bruce Tradd, number 25269 P-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months. Among other things, during the probation, the licensee shall 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 thirty (30) days of approval of this agreement, enroll in, attend and complete the series of Special Plumbing Code and Design courses, and enroll in, attend and complete the series of Special Fuel Gas Code and Design courses. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of

twelve (12) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Bryant, James Howard
Quality Plus Services, Inc.
Rocky Mount, NC
License# 05650, P-I

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee failed to provide adequate supervision for work performed under his license by failing to review or supervise the removal of an existing water heater and the installation of a new 50 gallon electric heater when a permit and inspection were required by NC General Statutes (G.S. 153A-357(a) or 160A-417(a), failed to install a cold water control valve, failed to properly terminate the relief valve drain line, and failed to insulate water piping for the water heater, which was left exposed in an unconditioned space.

James Bryant signed Proposed Resolution Agreement 05/28/2014.

The license of James Bryant, number 05650 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, if allowed by the homeowner, the licensee shall obtain a permit, return to this job, correct all code violations and have a final inspection performed by the local inspector by 06/06/2014. After complaint to the board the licensee obtained a permit

and an approved final inspection. 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. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Carson, Phillip B.
Carson and Company, Inc.
Bryson City, NC
License# S. 10636, P-I

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, violated the minimum standard of the North Carolina State Fuel Gas Code, and allowed the use of his license by unlicensed persons by issuing 1099's to unlicensed persons.

Resolution Conference held 06/02/2014. Jimmy Simmons signed a Resolution Conference Agreement 05/29/2014.

The license of Phillip B. Carson, number 10636 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, licensee shall submit to the Board's office within 10 days of approval of this agreement copies of all employee W-2's and W-4's for 2013, then by May 1, 2015 shall submit to the Board's office copies of all employee W-2's and W-4's for 2014, and then by May 1, 2016 shall submit to the Board's office copies of all employee W-2's and W-4's for 2015. Licensee shall enroll in, attend and complete the Special Board Laws & Rules course, and enroll in, attend and complete the series of Special Fuel Gas Code and Design courses. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of 3 months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Cutshall, Craig
Willow Creek
Hearth & Leisure, Inc.
Asheville, NC
License# 23721, FP

Allegations of misconduct and incompetence in the business of fuel piping in that the licensee failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide supervision, and violated the minimum standard of the North Carolina State Fuel Gas Code.

Resolution Conference held 06/03/2014. Craig Daniel Cutshall signed a Resolution Conference Agreement 06/03/2014.

The license of Craig Daniel Cutshall, number 23721 FP, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, licensee shall enroll in, attend and complete the series of Special Fuel Gas Code and Design courses. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm

agrees to comply with all of the probation provisions listed above.

Catoe, Paul J.
Pierce and Catoe Mechanical
Contracting, LLC
Lexington, SC
License# 29701, H-2

Allegations of misconduct in the business of heating contracting in that a complaint was filed against the licensee for installation issues for work performed by his firm which included the following: 1) High voltage wiring run through return and a portion of the wiring was not in conduit; 2) at three (3) separate job locations, two gas package units were installed (change outs), the required permits were obtained and paid for, but there was no record of the permit or inspections; project was re-permitted and inspections obtained; 3) For four (4) gas package units installed (change-outs) the permit was obtained and the mechanical was inspected; however, the project did not received a final inspection because the equipment needed to be tied in to the alarm system by another firm (fire panel): 4) Kitchen hood exhaust fan installed without a permit, installation performed and permit obtained after work was completed, installation had not received a final inspection because the project was ongoing; however, it was scheduled for a final inspection later on; and failed to obtain final inspections within ten (10) days of substantial completion of the work.

Paul Catoe signed a Proposed Resolution Agreement 05/02/2014.

The license of Paul J. Catoe, number 29701 H-2, 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 shall enroll in, attend and complete the Board Laws & Rules course. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Durham, Glenn D.
Freeman Gas & Electric Co., Inc.
Sylva, NC
License# 21182, FP

Allegations of misconduct and incompetence in the business of fuel piping in that the licensee contracted to install fuel piping and (2) freestanding LP gas heaters, during the course of the installation, the licensee failed to pull the required permit for the fuel piping installation in violation of GS 87-21 section .0402, and failed to meet the minimum building code in violation of GS 87-21, section .0505(b) the following code violations were noted by the Jackson County Building Inspection Department: 1) failed to properly sleeve exterior wall penetration; 2) failed to perform a pressure test; 3) Failed to meet minimum combustible clearance on vent (3/8") for heater in den; 4) failed to meet minimum combustible clearance - insulation against vent in ceiling for heater in bedroom; 5) no paperwork provided for heater (s); and, 6) No shut-off valve for heater in den.

Glenn Durham signed a Proposed Resolution Agreement 04/30/2014.

The license of Glenn Durham, number 21182 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, by 05/07/2014, the contractor shall 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 05/14/2014, this work shall be performed at the expense of the contractor. 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.

After complaint to the Board, the licensee corrected the code violations and obtained an approved final inspection. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three months, with the requirement that prior to the suspended license being

reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Fairley, Jimmy D.
Aqua Tech Plumbing
Trinity, NC
License# 22041, PH-3-I

Allegations of misconduct in the business of plumbing and heating contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide adequate supervision, obtained money and failed to complete installation (job abandonment), violated the minimum standard of the North Carolina State Plumbing Code, failed to respond to consumer in a timely manner/poor business practices, and allowed licensed work to be performed under his license, while the licensee was actively employed elsewhere.

Resolution Conference held 06/02/2014. Jimmy Fairley signed a Resolution Conference Agreement 06/02/2014.

The license of Jimmy Fairley, number 22041 PH-3-I, and the license of the firm be suspended for a period of six (6) months. Among other things during the suspension, the licensee shall enroll in, attend and complete the Special Board Laws & Rules course, enroll in, attend and complete the series of Special Contractor Business Management courses, and, within the next twenty (20) business days from 06/02/2014, licensee must assure that his license has been listed with the Board in the name that he currently operates his business. Upon successful completion of the suspension, his license, number 22041 PH-3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. In the event of violation of any of the conditions of probation, the license of the individual and of the firm will be suspended for a period of twelve (12) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Huggins, Robert L.
R. L. H. Heating & Cooling
Pikeville, NC
License# 18035, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee contracted to install a complete hvac system, during the course of the installation, the following installation issues/code violations were noted: ductwork lacked minimum 4 inch clearance to ground level in several locations; no Panduit strap installed on inner liner of flex duct in several locations; no tape installed on inner liner of flex duct in several locations; joints and seams on sheet metal duct not sealed with tape or mastic in several locations; non UL-181 tape used on inner liner of flex duct; register boots not sealed and insulated properly (existing register boots remained in place; however, completed duct system was installed); flex duct restricted in several locations (cross over ducting and duct tapered off with Panduit straps), failed to perform a room by room heat loss/heat gain calculation, or a duct design in accordance with manual D for the above referenced installation, licensee acknowledged performing a block load heat loss/heat gain calculation and using a ductulator for the above referenced job, hired some employees but failed to take out the required taxes from their pay (issued 1099's at the end of each tax year), and failed to review the above referenced installation in its entirety and relied on employees to perform a quality job.

Robert Huggins signed a Proposed Resolution Agreement 05/01/2014.

The license of Robert Huggins, number 18035 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, by 07/01/2014, 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 07/01/2014. This work shall be performed at the ex-

pense of the contractor. By 07/01/2014, the contractor shall also return to the home located at 707 N. Pineview Ave and perform a thorough Manual J load calculation and Manual D duct design. If the load calculation or duct design reveal that the equipment and/or system is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized or oversized equipment and/or duct system with properly sized air handler(s) and condensing unit(s) and/or ductwork, and obtain a final inspection by 07/01/2014. The contractor shall submit evidence to the board by 07/01/2014 of the final inspection and shall submit a copy of his load calculation and duct design. In addition, by 07/21/2014, the licensee shall submit to the Board's office copies of all employees W-4's and by the end of the probation submit a copy of all employees W-2's, enroll in, attend and complete the series of Special Mechanical Code courses, enroll in, attend and complete the series of Special Mechanical Design courses, and enroll in, attend and complete the Special Board Laws & Rules course. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of 3 months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Hunt, Henry Luther
H-D Plumbing
Pembroke, NC
License# 07327, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to adequately review the installation of a complete plumbing installation at a new construction residence prior to an inspection requests, failed to provide adequate supervision for work performed under his license by employees of H-D Plumbing, failed to comply with the board rules and regulations on bona-fide employees and paid employees directly and provided those employees with 1099's at the end of each tax year.

Henry Hunt signed a Proposed Resolution Agreement 03/31/2014.

The license of Henry Hunt, number 07327 P-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other things, during the probation, the licensee shall enroll in, attend and complete the Special Plumbing Code and Design courses, enroll in and complete the Board Laws & Rules course, 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. 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.

Jones, Ronald Michael
Mike Jones Plumbing
Rosman, NC
License# 14102, P-I

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

Resolution Conference held 05/29/2014. Ronald Michael Jones signed a Resolution Conference Agreement 05/29/2014.

The license of Ronald Michael Jones, number 14102 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 30 days of the approval of this order, the contractor shall return to the home located at 841 Pole Miller Rd Extension, 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 with the next 60 days of approval of this

order. This work shall be performed at the expense of the contractor. The licensee shall enroll in, attend and complete the Special Board Laws & Rules course, and enroll in, attend and complete the series of Special Plumbing Code and Design courses. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Jones, Walter M.
Jones & Jones Heating & Air, Inc.
Hope Mills, NC
License# 11614, H-2&3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to install a complete HVAC system that would work together (thermostat, zone control board, zone dampers and equipment), installed a piece of equipment that was not of the proper manufacture, and violated the minimum standard of the North Carolina State Mechanical Code,

Resolution Conference held 04/04/2014. Walter M. Jones signed a Resolution Conference Agreement 04/04/2014.

The license of Walter M. Jones, number 11614 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, licensee shall assure all systems installed shall maintain the required maximum temperature difference of 4 degrees between floors and room to room, 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 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.

Langley, Robert L.
Langley Maintenance, Inc.
Red Oak, NC
License# 20148, 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 gas furnace and electric heat pump system with all associated duct work, and failed to obtain final inspections within ten (10) days of substantial completion of the work.

Robert Langley signed a Proposed Resolution Agreement 04/10/2014.

The license of Robert Langley, number 20148 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, during the probation, the licensee shall enroll in, attend and complete the Board Laws & Rules course. In the event of violation of any of the conditions of probation, his license will be suspended for a period of three months, with the requirement that prior to the suspended license being reinstated, licensee agrees to comply with all of the probation provisions listed above.

Lebed, Mikhail
Quality Comfort Heating
and Cooling
Leicester, NC
License# 27019, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to call for an inspection for the installation of a new 2 ½ ton Trane heat pump, which tied into the existing duct work, in violation of GS 87-21 section .0402, licensee also failed to properly supervise the mechanical installation, in violation of GS 87-21 section .0406, violated the State Mechanical Code in the following areas: condensing unit was not level, failed to install fittings on electrical conduit (outdoor unit), failed to install fittings on electrical conduit, air handler wiring not sheathed, single conductor used as a feeder to indoor unit, unit not properly strapped, and failed to properly install/seal wiring into unit.

Mikhail Pavlovich Lebed signed a Proposed Resolution Agreement 05/16/2014.

The license of Mikhail Lebed, number 27019 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve months. Among other things during the probation, by 05/30/2014, license must assure the board that the work contracted and performed at 287 Swiss Valley Road passes final inspection and will provide the board with a copy of the final inspection. Licensee must assure that by 07/01/2014 all open mechanical permits listed in the Proposed Resolution Agreement dated 05/16/2014 will be closed out. The licensee shall enroll in, attend and complete the Special Board Laws & Rules course. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions

Lee, Larry Lyon
Accu-Air, Inc.
Durham, NC

License# 14660, H-2&3-I

Allegations of misconduct in the business of heating contracting in that the licensee contracted for the installation of a 2 ½ ton Trane heat pump system, and failed to obtain a permit prior to commencing work.

Larry Lee signed a Proposed Resolution Agreement 04/24/2014.

The license of Larry Lee, number 14660 H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, during the probation, the licensee shall enroll in, attend and complete the Board Laws & Rules course. In the event of violation of any of the conditions of probation, his license will be suspended for a period of three months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Lohr, Joseph Scott
Air Masters
Kernersville, NC
License# 31342, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to carry out adequate installation and design, failed to perform work in compliance with the written contract with the homeowner, and contracted and performed work outside current licensing qualifications.

Resolution Conference held 06/02/2014.

Joseph Scott Lohr signed a Resolution Conference Agreement 06/02/2014.

The license of Joseph Lohr, number 31342 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, licensee shall enroll in, attend and complete the Special Board Laws & Rules course, enroll in, attend and complete the series of Special Contractor Business Management courses. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Lunsford, Ted D.
White & Williams
Asheville, NC

License# S. 28518, H-2&3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to install an engineered designed system per the North Carolina Administrative Codes & Policies, Section 204.3.5, exemption 5.

Resolution Conference held 05/27/2014. Ted Lunsford signed a Resolution Conference Agreement 05/27/2014.

The license of Ted Lunsford, number 28518 H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee and the firm shall do one of the following: (1) Put the systems back in the original condition where the 10 ton unit that is currently serving the fellowship hall be

installed so that it is serving the sanctuary (as per the original engineered design) and refund to the owner the total contract amount, minus the material costs, or (2) Contact the original design engineer of record and have this engineer, if he so agrees, to seal an engineered drawing that the system as installed is properly designed for the sanctuary and the fellowship hall, or (3) Return to the building and installed the properly sized equipment for the sanctuary and the fellowship hall per the original engineered design. The costs of the changes shall to be the responsibility of both the licensee and the building owner. The licensee shall enroll in, attend and complete the Special Board Laws & Rules course. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Melvin, Donald
Melvin's Heating & Air, Inc.
White Lake, NC

License# 29181, H-3-I

Allegations of misconduct and failure to comply with a probation order in that the licensee violated the probation order approved by the Board on 04/13/2012.

Resolution Conference held 04/15/2014. Licensee failed to appear.

The Resolution Review Committee made the following recommendations:

1) That Donald Melvin, although duly served with the Invitation Letter, failed to appear at the Resolution Conference scheduled on April 15, 2014; therefore, the Resolution Review Committee recommended that the license of Donald Graden Melvin II, license number 29181 H-3-I, and the license of the firm be suspended for a period of twelve (12) months. During the suspension period, the licensee shall enroll in, attend and complete the series of Special Mechanical Design courses, and enroll in, attend and complete the Special Board Laws & Rules course. Within 90 days of approval of

this order, the licensee shall return to the job listed in complaint file number 2012-98 where the licensee shall install the proper sized equipment as per the load calculation he submitted to the RRC. If the homeowner will not allow the proper changes to be made, then Mr. Melvin shall provide to the board, within the timeframe listed above, a letter from the homeowner stating as such. Within 90 days of approval of this order, the licensee shall return to the job listed in complaint file number 2013-266 and do the following: obtain a permit for this job, assure that the equipment installed is listed and labeled for the structure/building/trailer that it was been installed, assure that all code violations have been corrected, assure that the installation receives a final inspection, with the ninety (90) day time period listed above, and if the homeowner will not allow the proper changes to be made, then Mr. Melvin shall provide to the board, within the timeframe listed above, a letter from the homeowner. Upon successful completion of the suspension, the license of Donald Graden Melvin II, license number 29181 H-3-I, and the license of the firm be placed on supervised probation for a period of twenty-four (24) months. Among other things during the probation, the licensee shall enroll in, attend and complete the series of Special Mechanical Code courses approved by the Board's Executive Director within 90 days of the start of the probation. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be permanently revoked.

Morris, Clifton
Morris Mechanical & HVAC, LLC
Wendell, NC
License# 30716, H-3-I

Allegations of misconduct and working without a license in the business of heating contracting in that the licensee contracted Heating Group 2 work while only holding a Heating Group 3, Class I, and failed to complete the agreed contract and failed to complete installation.

Resolution Conference held 04/01/2014. Clifton Morris signed a

Resolution Conference Agreement 04/01/2014.

The license of Clifton Morris, number 30716 H-3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things during the probationary period, enroll in, attend and complete the series of Special Contractor Business Management 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.

Overton, Christopher Thomas
Service Experts Heating
& Air Conditioning, LLC
Raleigh, NC
License# 24141, H2 & H-3-I

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

Resolution Conference held 03/31/2014. Christopher Overton signed a Resolution Conference Agreement 03/31/2014.

The license of Christopher Overton, number 24141 H2 & H-3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things during the probationary period, 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.

Parrish, Alton Troy
Efland, NC
License# 21316, P-I

Allegations of misconduct and job abandonment in the business of plumbing contracting in that the licensee obtained money and failed to perform any work in the contract (job abandonment), failed to respond to consumer

in a timely manner/poor business practices, and engaged in business under a different name or style of business than appears on his/her license.

Resolution Conference held 04/01/2014. Alton Parrish signed a Resolution Conference Agreement 04/01/2014.

The license of Alton Parrish, number 21316 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, enroll in, attend and complete the series of Special Contractor Business Management 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.

Pearson, Kevin Ray
Tidewater Energy
Saratoga, NC
License# 21145, FP

Allegations of misconduct and incompetence in the business of fuel piping 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 violated the minimum standard of the North Carolina State Fuel Gas Code. Resolution Conference held 04/03/2014.

Kevin Ray Pearson signed a Resolution Conference Agreement 04/03/2014.

The license of Kevin Ray 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, enroll in, attend and complete the series of Special Fuel Gas Code and Design courses, 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 rein-

stated he must comply with all of the probation provisions listed above.

Pelly, Peter M.
All Seasons Htg. & A/C
Appalachian Craftsmen Inc.
Arden, NC

License# 19135, H-1, 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, allowed the use of license by unlicensed persons by issuing 1099's to unlicensed persons, and failed to properly install duct design.

Resolution Conference held 05/29/2014. Peter Pelly signed a Resolution Conference Agreement 05/29/2014.

The license of Peter Pelly, number 19135 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, during the probation, licensee shall submit to the Board's office within 10 days of approval of this agreement copies of all employee W-2's and W-4's for 2013, then by May 1, 2015 shall submit to the Board's office copies of all employee W-2's and W-4's for 2014, and then by May 1, 2016 shall submit to the Board's office copies of all employee W-2's and W-4's for 2015. Licensee shall enroll in, attend and complete the Special Board Laws & Rules course, and enroll in, attend and complete the series of Special Mechanical Code courses. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Samson, Stephen D.
Premier Outdoor
Comfort Systems
Bryson City, NC
License# 25026, 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, failed to provide adequate supervision, and failed to carry out adequate ductwork installation by having a crimped and restricted duct.

Resolution Conference held 05/30/2014. Stephen Samson signed a Resolution Conference Agreement 05/30/2014.

The license of Stephen Samson, number 25026 H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, licensee shall enroll in, attend and complete the Special Board Laws & Rules course, and enroll in, attend and complete the series of Special Mechanical Code courses. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Seegers, Samuel Blair
CYA Plumbing
Harrisburg, NC
License# 28556, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee transferred his license from S&S Plumbing to CYA Plumbing; however, he was paid as a 1099 employee and was not on the company payroll.

Samuel Seeger signed a Proposed Resolution Agreement 03/31/2014.

The license of Samuel Seegers, number 28556 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things, during the probation, the licensee shall enroll in and complete the 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. 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.

Sellers, James B.
Sellers Heating and
Air Conditioning
Clemmons, NC
License# 24207, 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, and failed to assure that the equipment installed was compatible to the existing equipment.

Resolution Conference held 06/04/2014.

James B. Sellers signed a Resolution Conference Agreement 06/04/2014.

The license of James Sellers, number 24207 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other things, during the probation, licensee shall enroll in, attend and complete the series of Special Mechanical Code courses. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Shepherd, James E. Jr.
K and K Fuel Piping
Franklin, NC
License# 21179, FP

Allegations of misconduct and incompetence in the business of fuel piping contracting in that the licensee contracted the installation of approximately 140' of black iron fuel piping while his license was expired.

James Shepherd signed Proposed Resolution Agreement 05/13/2014.

The license of James E. Shepherd, number 21179 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 must assure the board that he will not contract and or perform any fuel piping until properly licensed by the board, and licensee shall enroll in, attend and complete the Special Board Laws & Rules course. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

**Shonborn, Kent A.
Deem, LLC
Indianapolis, IN
License# 29741, H-2&3-I**

Allegations of misconduct in the business of heating contracting in that the licensee's firm, who holds a contract with CVS for HVAC and refrigeration service and replacements in NC, contracted the installation of a mini split system for a CVS pharmacy obtained a permit but placed the unit in operation without a final inspection.

Kent Shonborn signed a Proposed Resolution Agreement 04/29/2014.

The license of Kent Shonborn, number 29741 H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other things, during the probation, the licensee shall enroll in, attend and complete the Board Laws & Rules course. In the event of violation of any of the conditions of probation, his license will be suspended for a period of three months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

**Simmons, Jimmy L.
Campbell Propane
Supply, NC
License# 21150, FP**

Allegations of misconduct and incompetence in the business of fuel piping in that the licensee allowed the use of his license by an unlicensed person/firm/branch for a job contracted by an unli-

censed branch office, licensee obtained a permit and allowed his license number to appear on a permit on a job where the licensee did not hold the contract with the owner or the licensed general contractor, and failure of the licensee to execute (sign) the contract.

Resolution Conference held 04/16/2014. Jimmy Simmons signed a Resolution Conference Agreement 04/16/2014.

The license of Jimmy Simmons, number 21150 FP, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months.

Among other things, during the probation, the licensee agreed to enroll in and attend the Special Board Laws & Rules course. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

**Sowers, William A.
W.A. Sowers
Greensboro, NC
License# 21515, H-3-I**

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain a permit prior to commencing work, and failed to respond to the consumer in a timely manner in that the licensee installed a new 2.5 ton Goodman gas pack unit, a hole developed in the coil, and licensee failed to return to make the leak repair but topped off the refrigerant charge.

William Sowers signed Proposed Resolution Agreement 05/20/2014.

The license of William Sowers, number 21515 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, licensee must assure that all installations that have been performed under his license, that have not been permitted or inspected, shall receive an approved final inspections within sixty (60) days,

and within 15 business days of signing this agreement, licensee must reimburse the homeowners the total cost of the coil repair in the amount of \$566.00. After complaint to the Board, the licensee made the reimbursement as agreed. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

**Stamey, Ronald L.
Stamey Heating &
Air Conditioning
Marion, NC
License# 13889, PH-3-I**

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

Resolution Conference held 05/28/2014. Ronald Stamey signed a Resolution Conference Agreement 05/28/2014.

The license of Ronald Stamey, number 13889 PH-3-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months. Among other things, during the probation, licensee shall enroll in, attend and complete the series of Special Mechanical Code course, and submit to the Board's office within 10 days of approval of this agreement copies of all employee W-4's and W-2's for 2013, by May 1, 2015 copies of all employee W-4's and W-2's for 2014 and by May 1, 2016 copies of all employee W-4's and W-2's for 2015. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of twelve (12) months, with the requirement that prior to the suspend-

ed license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

**Tobin, Bart Lee
Coats, NC**

License# 24164, P-II

Allegations of misconduct and violation of a prior probation order approved by the Board on 06/19/2012 in that the licensee failed to submit quarterly reports, failed to list his license in the name that he operates his business, and failed to maintain written contracts.

Resolution Conference held 03/31/2014. Bart Tobin signed a Resolution Conference Agreement 03/31/2014.

The license of Bart Lee Tobin, number 24164 P-II, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other things during the probationary period, enroll in, attend and complete the Special Contractor Business Management courses, and assure that his license has been 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.

Whitener, Gary A.

**Air Force One Heating & Cooling
Taylorsville, NC**

License# 29743, H-3-I

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

Resolution Conference held 05/29/2014. Gary Whitener signed a

Resolution Conference Agreement 05/29/2014.

The license of Gary Whitener, number 29743 H-3-I, and the license of the firm be suspended for a period of six (6) months. Among other things, during the suspension, licensee shall enroll in, attend and complete the Special Board Laws & Rules course, and enroll in, attend and complete the series of Special Mechanical Code courses. Upon successful completion of the suspension, the license of Gary Whitener, number 29743 H-3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions.

Wooten, David J.

Smithfield, NC

License# 17627, PH3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain a permit prior to commencing work, subcontracted plumbing and HVAC work from an unlicensed contractor, and failed to comply with the board rules and regulations on bona fide employees, 21 NCAC 50.0512, by allowing an unlicensed 1099 employee to assist in the plumbing installation at a single family dwelling.

David Wooten signed Proposed Resolution Agreement 06/04/2014.

The license of David Wooten, number 17627 PH3-I, and that of the firm shall be placed on a supervised probation for a period of 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, within 15 days of signing this agreement the contractor shall return to this structure and correct any and all plumbing code violations that exist and shall receive a passing plumbing rough in inspection, and enroll in, attend and complete the Special Board Laws &

Rules course. In the event of violation of any of the conditions of probation, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to 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.

**Appalachian Hospitality Management / Best Western
Boone, NC**

Judgment of Permanent Injunction entered April 22, 2014, enjoining defendant from engaging in business as a heating contractor without a valid license to do so.

**Atkinson, Mark
Boone, NC**

Judgment of Permanent Injunction entered April 22, 2014, enjoining defendant from engaging in business as a heating contractor without a valid license to do so.

**Berryhill, Eric
Gastonia, NC**

Allegations of heating contracting without a license. Complaint for injunctive relief filed 12/5/13. Defendant served 12/30/13. Consent Order forwarded to court for consideration on April 14, 2014. Judgment of Permanent Injunction was filed on April 22, 2014 enjoining the defendant from engaging in business as a heating contractor without appropriate license to do so.

**Ferruzzi, Timothy David
d/b/a Handy Helpers, Inc.
Greenville, NC**

Allegations the Respondent has engaged in contracting during suspension of the corporate charter by the Secretary of State. Consent Order approved by the Board May 13, 2014 imposes obligation to list license in proper name, purchase current code-books, attend a special course on the Board rules and promptly complete a project about which complaint had been made

**Hensley, Chad
Cary, NC**

Judgment of Permanent Injunction filed on April 22, 2014 enjoining the defendant from engaging in business as heating contractor when not properly licensed to do so.

**Hudler, Kelly
d/b/a KJ's Heating and Cooling
Taylorsville, NC**

Heating contracting without a license. Judgment of Permanent Injunction filed 12/04/13, enjoining defendant from engaging in contracting without a license. Hearing held April 15, 2014 regarding Defendant Hudler's motion to reduce sanctions contained in pending Order of Arrest. Court reduced its prior sentence to 60 days active jail time.

**Jackson Sr., Ricky Washington
d/b/a Jackson Handyman Service
Norwood, NC**

Judgment of Permanent Injunction filed April 22, 2014 enjoining defendant from engaging in business as a heating contractor when not properly licensed to do so.

**Jones, Stephen Massenburg
Raleigh, NC**

Allegations of heating contracting without a license in contempt of prior order of the Court. Matter heard 4/21/14 at which time the Defendant requested a continuance until May 20, 2014 in order to obtain counsel. Allegations of plumbing contracting without a valid license in violation of prior court order. Defendant found in contempt of court following hearing on May 20, 2014 and given a suspended jail sentence of 30 days conditioned upon payment of restitution and a fine.

**Keith, Ronald Lee
Raleigh, NC**

Allegations of heating contracting without a license. Judgment of Permanent Injunction filed May 7, 2014 enjoining defendant from engaging in business as a heating contractor when not properly licensed to do so.

**Moses, Rich
Best Western
Mount City, TN**

Judgment of Permanent Injunction entered April 22, 2014, enjoining defendant from engaging in business as a heating contractor without a valid license to do so.

**Murphy, Brandon R.
Thomasville, NC**

Allegations of heating contracting without a license. Judgment of Permanent Injunction filed May 7, 2014 enjoining defendant from engaging in business as a heating contractor when not properly licensed to do so.

**Reed, Willie
Apex, NC**

Allegations of violation of prior Order of the Court. Matter heard April 14, 2014 at which time the Court continued the hearing until May 20, 2014 at the request of counsel for the Defendant in order that the Defendant could be present for further disposition. Allegations of plumbing contracting without a valid license in violation of prior court order. Defendant found in contempt of court following hearing on May 20, 2014 and given a suspended jail sentence of 120 days conditioned upon payment of restitution.

Robinson, Charles Harold
Best Western
Vilas, NC

Judgment of Permanent Injunction entered April 22, 2014, enjoining defendant from engaging in business as a heating contractor without a valid license to do so.

Young, James Brian (Bryan)
d/b/a Young's Plumbing Repair
Waynesville, NC

Allegations of plumbing contracting without a license. Judgment of Permanent Injunction filed May 2, 2014 enjoining defendant from engaging in business as a plumbing contractor when not licensed to do so.

Shade Jr., Fred
d/b/a Plumb Right, Inc.
Newton, NC

(Cabarrus Co.)

Allegations of plumbing contracting without a valid license in violation of prior court order. Defendant found in contempt of court following hearing on May 27, 2014 and given a suspended jail sentence conditioned upon payment of restitution and a fine.

Simpson, Corey Allen
Boone, NC

Allegations of heating contracting without a license. Judgment of Permanent Injunction entered April 22, 2014, enjoining defendant from engaging in business as a heating contractor without a valid license to do so.

Thigpen, Steve
Best Western
Gaston, SC

Judgment of Permanent Injunction entered April 22, 2014, enjoining defendant from engaging in business as a heating contractor without a valid license to do so.

Traver, Jay Emerson
d/b/a Duct Works Air and Heat,
LLC
Charlotte, NC

Allegations of heating contracting without a license.

Judgment of Permanent Injunction filed on April 22, 2014 enjoining defendant from engaging in business as a heating contractor at all times not licensed to do so.