

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

May 2015

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

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## Freezing Condensate Drains

Temperatures are in the low 90's as this edition is published, but the Board has recently received a number of complaints regarding water freezing in condensate drain lines. The problems occurred last winter, when condensate from high-efficiency gas furnaces, (commonly referred to as "90+" units) froze in drain lines during cold weather.

As a result of this new technology the home builders and HVAC industry, as well as building code organizations and local code enforcement officials have found themselves struggling to address this situation. While the North Carolina Mechanical Code does not specifically address this issue, it does contain the following language:

### SECTION 304 INSTALLATION

**304.1 General.** Equipment and appliances shall be installed as required by the terms of their approval, in accordance with the conditions of the listing, the manufacturer's installation instructions and this code. Manufacturer's installation instructions shall be available on the job site at the time of inspection.

### SECTION 307 CONDENSATE DISPOSAL

**307.1 Fuel-burning appliances.** Liquid combustion by-products of condensing appliances shall be collected and discharged to an approved plumbing fixture or disposal area in accordance with the manufacturer's installation instructions.

The large majority, if not all, of the manufacturer's installation instructions for this type of equipment warn of the possibility of frozen condensate when below-freezing temperatures are present. The instructions also call for the drain line to be protected from freezing: some manufacturer's provide options for freeze-prevention, while others may not.

The drain line should obviously not be installed on the exterior of a structure, as this would certainly result in freeze-ups. If the drain line is routed inside of an exterior wall, it should be adequately insulated with the piping on the 'warm' side of the insulation closest to the interior wall finish. This also raises concerns of damage to the line by stray screws or nails which may be used for interior or exterior finish or trim materials and could result in costly concealed water damage to the structure, so protective measures should be taken to prevent this.

Some manufacturers suggest and/or recommend the installation of a thermostatically-controlled electric heat tape, which will require planning and coordination with the owner or builder, as it presents the need for a properly installed electrical receptacle to connect the heat tape to.

Most local jurisdictions currently prohibit condensation from air conditioning units being discharged into the sanitary sewer system; however, some have publicly stated that condensate discharge from high-efficiency furnaces will be allowed to be disposed of in this manner.

HVAC contractors are advised to discuss options with the local inspection department in order to make the best decision regarding high-efficiency gas furnace condensate disposal. Doing so will not only prevent future problems for homeowners, but will also help to prevent those homeowners filing complaints with the Board against the HVAC contractor for failure to prevent freezing of the condensate.

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## Split System HVAC Partial Replacement: Compatibility & Responsibility

With the summer now in full swing, many property owners will have the unfortunate experience of HVAC equipment failure as aging units struggle to operate at full load for hours, days and weeks on end.

Due to economics, it may sometimes be in the best interest of the customer to replace only one piece of equipment in a split heating and/or air conditioning system. This could be the outdoor heat pump/condenser or the indoor coil and/or air handler unit. When this occurs both the installation contractor and building code enforcement official bear responsibility for certain code provisions that apply.

The North Carolina Department of Insurance Engineering Division recently issued a Informal Code Interpretation regarding the partial equipment replacement on split systems. This and other interpretations relating to the licenses issued by the Board can be found quickly and easily on the Interpretations page of the Board's website at [www.nclicensing.org](http://www.nclicensing.org).

The interpretation, as well as all code interpretations issued by the Department of Insurance Engineering Division, may also be found on the NCDOL website ([www.ncdoi.com](http://www.ncdoi.com)) by navigating through the following page/menu sequence: Office of State Fire Marshal, Engineering and Codes Division, State Building Codes, Code Interpretations, Mechanical.

From the Board's perspective, replacement of any piece of equipment (or ductwork) requires a license of the proper group and class, as well as a whole house block load calculation to ensure that the equipment and or system is properly sized.

For buildings with a total interconnected space cooling capacity in excess of fifteen (15) tons, this work requires a Heating Group 2 (H2) license.

For buildings other than single family detached dwellings with a total interconnected space cooling capacity of fifteen (15) tons or less, this work requires a Heating Group 3, Class I (H3-I) license.

For all single family detached dwellings, regardless of the total cooling capacity, this work requires a Heating Group Class I or II (H3-I or H3-II) license.

The block load calculation is required due to the fact that changes may have occurred since the original installation which may affect the current load requirements. The structure may have had improvements to doors, windows and/or insulation, making it more efficient. The color of the roofing shingles may have changed, or a metal roof may have been installed. Trees may have grown to shade the structure or may have been removed. Additional square footage may have been added to the structure.

For commercial buildings, the use of the structure may have changed, such as from a retail outlet with a few customers to a busy restaurant full of diners. Commercial buildings also frequently undergo expansion projects.

Even if no changes to any of the above mentioned factors have occurred, there is always the possibility that the equipment and/or system may have been improperly sized by the original installation contractor. For many years the 'rule of thumb' was a ton of cooling per 600 square feet, without taking any other factors into consideration. This is not, and never has been, an acceptable method for calculating the load demands of equipment and systems.

HVAC contractors are not tasked with merely selling equipment and system installations; they are charged with selling COMFORT for the consumer. This can only be accomplished if the contractor (or a qualified employee representing the contractor) take the time to evaluate the structure to accurately determine what is needed to provide the consumer with comfort. In the case of partial replacements, this includes evaluating the existing equipment and ductwork to ensure that all components that make up the system will work together as designed.

## 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
• Jessica Yelverton (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

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### David Boulay

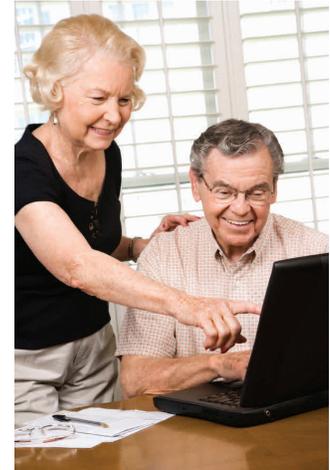
Western Region  
828-234-2719 or [dboulay@nclicensing.org](mailto:dboulay@nclicensing.org)

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.

## Website Information: [www.nclicensing.org](http://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 - 2015 - Previous Sub-licensees
2. Renewal form - 2015 without Sub-licensees
3. Renewal form - 2015 with Sublicensees
4. Renewal form -2015 and Previous Year(s) without Sub-Licensees
5. Renewal form - 2015 and Previous Year(s) with Sub-Licensees

### New Applicant Forms

1. Plumbing, Heating, & Fuel Piping Contractor Examination Application
2. Restricted Limited Plumbing Contractor Application
- 3.. Plumbing, Heating, & Fuel Piping Technician Examination Application
4. Residential Fire Sprinkler Installation Contractor Examination Application
5. Fire Sprinkler Installation & Inspection Contractor Examination Application
6. Fire Sprinkler Inspection Technician Examination Application (no NICET)
7. Fire Sprinkler Inspection Technician Application (NICET)
8. Fire Sprinkler Maintenance Technician Application
9. Book Reference List for All Applicants
10. Request for Exam Review (for examines who have failed a recent exam)

### 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>
Bagby, Stephen A.	Kernersville, NC	3/12/2015	Miller, Joseph E.	Marion, NC	2/9/2015
Cauble, David T.	Landis, NC	3/4/2015	Money, Roger D.	Troutman, NC	3/12/2015
Fausnight, Eric D.	Statesville, NC	3/11/2015	Parker, Billy R.	Littleton, NC	2/10/2015
Humphrey, Thomas G.	Jacksonville, NC	2/27/2015	Stewart, Leroy A.	East Bend, NC	3/11/2015
Jenkins, Bradley N.	Stony Point, NC	3/12/2015	Tew, Justin T.	Pilot Moutain, NC	2/16/2015
Kocher, Ronald	Parkton, NC	1/30/2015	Wells, Paul R.	Walkertown, NC	3/10/2015
Lilly, Rex D.	Vanceboro, NC	3/13/2015	Woodall, Tony C.	Raleigh, NC	3/19/2015

### 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>
Ashe, Michael	Waynesville, NC	3/23/2015	Madrigal, Nestor A.	Randleman, NC	3/6/2015
Benitez, Andrian T.	Conway, SC	3/16/2015	Mendoza, Elpidio A.	Randleman, NC	2/27/2015
Chastain, Matthew S.	Monroe, NC	4/14/2015	Moeller, Kevin P.	Wilmington, NC	3/11/2015
Cruz, Gabriel M.	Charlotte, NC	2/16/2015	Murphy Jr., James L.	Hudson, NC	4/14/2015
Erickson, Travis R.	Fletcher, NC	4/1/2015	Murphy, Tyler R.	Farmville, NC	2/10/2015
High, William F.	Mount Pleasant, NC	3/23/2015	Pacheco, Horacio D.	Concord, NC	10/1/2014
Horne Jr., Dale J.	Mooresville, NC	2/19/2015	Pinto, Edwin J.	Charlotte, NC	3/5/2015
Hudson, John S.	Elm City, NC	4/14/2015	Portillo, Idalia G.	Durham, NC	4/1/2015
Jenkins, Andrew C.	Bailey, NC	4/14/2015	Rhodes, William N.	Greenville, SC	3/30/2015
Long, Thomas M.	Burlington, NC	2/6/2015	Salinas Trejo, Tomas J.	Charlotte, NC	2/16/2015
Lopez, Eduardo M.	Burlington, NC	2/9/2015	White, William E.	Charlotte, NC	3/30/2015
Madrigal, Jaime M.	Randleman, NC	2/27/2015	Williams, Joseph D.	High Point, NC	4/2/2015
Madrigal, Joel M.	Randleman, NC	2/27/2015			

## 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.

**Best, Carroll G.  
Temp Rite, LLC  
(former licensee of firm)  
Weaverville, NC**

**License# 29094, H-3-II**

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

Resolution Conference held 03/03/2015. Carroll Gene Best signed a Proposed Resolution Agreement 03/03/2015.

The license of Carroll Best, number 29094 H-3-II, and the license of the firm, Temp Rite, LLC, is suspended for a period of two (2) years. Among other things during the suspension, the licensee shall enroll in, attend and complete the following courses: 1) Special Board Laws and Rules course; and the 2) Special Mechanical Code Course.

Upon successful completion of the suspension, his license, number 29094 H-3-II, and that of the firm shall be placed on supervised probation for a period of three (3) years. During the probation, the licensee must only list his license in the name of a firm that the licensee personally owns and operates; and, within 90 days of the beginning of the probation, the licensee shall present evidence to the Board that he has purchased the current editions of the following books: Title 21, Chapter 50 of the North Carolina Administrative Code (Board Laws & Rules), the North Carolina Mechanical Code, the North Carolina Administrative Code and Policies, the North Carolina Energy Conservation Code and the North Carolina Fuel Gas Code. In the event of violation of any of the conditions of probation, license of the individual shall be revoked.

**Brewington, Charles L.  
Brewington Heating  
& Air Conditioning, Inc.  
Charlotte, NC**

**License# 09801, H-3-I**

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to provide adequate supervision, violated the minimum standard of the North Carolina State Mechanical Code, allowed the use of license by sub-contracting from an unlicensed general contractor, failed to carry out adequate ductwork installation, contracted and performed work outside current licensing qualifications, and failed to perform load calculation(s) for first floor of home.

Resolution Conference held 03/09/2015.

Charles Linwood Brewington signed a Proposed Resolution Agreement 03/09/2015. The license of Charles Brewington, number 9801 H-3-I, and that of the firm is placed on supervised probation for a period of eighteen (18) months. Among other things during the probation, the licensee shall enroll in, attend and complete the following courses: 1) Special Board Laws and Rules course; and the 2) Special Mechanical Code Course.

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 nine (9) 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.

**Burleson, Eric W.  
Yours Heating & Air  
Winston-Salem, NC  
License# 23917, H-3-II (RETIRED)**

Allegations of misconduct in the business of heating contracting in that the licensee failed to comply with the previous Board Order from 2006.

Resolution Conference held 03/10/2015.

Eric Burleson signed a Proposed Resolution Agreement 03/10/2015. Review Committee recommended that Eric

Wiley Burleson be allowed to submit a thorough examination application after submission of a complete license application. Upon successfully passing the examination and activation of the license then the license of Eric Wiley Burleson, number 23917 H-3-II is suspended for a period of twelve (12) months. Among other things during the suspension, the licensee shall enroll in, attend and complete the following courses: 1) Special Board Laws and Rules course; and the 2) Special Contractor Business Management course. Upon successful completion of the suspension, his license, number 23917 H-3-II, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) month. During the probation, within thirty (30) days of the beginning of the probation, Mr. Burleson must present evidence to the Board that he has purchased the current editions of the following books: Title 21, Chapter 50 of the North Carolina Administrative Code (Board Laws & Rules), the North Carolina Mechanical Code, the North Carolina Administrative Code and Policies, the North Carolina Energy Code and the North Carolina Fuel Gas Code. In the event of violation of any of the conditions of probation, the license of the individual and of the firm will be permanently revoked.

**Dobbins, Michael D.  
Freeman Gas & Electric, Inc.  
Hendersonville, NC  
License# 23511, FP**

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to provide adequate supervision, violated the minimum standard of the North Carolina State Mechanical Code, allowed the use of license by sub-contracting from an unlicensed general contractor, failed to carry out adequate ductwork installation, contracted and performed work outside current licensing qualifications, and failed to perform load calculation(s) for first floor of home.

Resolution Conference held 03/02/2015.

Michael Dobbins signed a Proposed Resolution Agreement 03/02/2015.

The license of Michael Dobbins, number 23511 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 shall immediately remove his license from the Denver, NC office (by the close of business on March 6, 2015) or the licensee shall be located in the Denver, NC office or on the jobs contracted out of the Denver, NC office a minimum of 1,500 hours annually or, if the office contracts and/or performs work less than 1,500 annually, then the licensee shall be in the Denver, NC office or on the jobs contracted out of the Denver, NC office all hours work requiring a license is being performed. Until the Denver, NC office is properly licensed, no work that requires a license shall be contracted or performed by anyone in the Denver, NC office. After complaint to the board, the licensee removed his license from the Denver office to the Hendersonville location for Freeman Gas. The licensee must enroll in, attend and complete the Special Board Laws and Rules course. 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 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.

**Halliger, Michael J.**  
**Masters Mechanical Inc.**  
**Leicester, NC**

**License# 18989, H-1, 2&3-1**  
Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permit (s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide adequate supervision, failed to perform load calculation(s), violated the minimum standard of the North Carolina State Mechanical Code, and allowed the use of license by unlicensed persons.

Resolution Conference held 03/02/2015. Michael Halliger signed a Proposed Resolution Agreement 03/02/2015.

The license of Michael Halliger, number 18989 H-1, 2&3-1, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, the licensee must enroll in, attend and complete the Special Board Laws and Rules course, and the Special Mechanical Code course. In the event of violation of any of the con-

ditions of probation, the 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.

**Kluttz, William**  
**Absolute Fire Control**  
**Charlotte, NC**

**License# 16582, FS, FSIC**  
Allegations of misconduct in the business of fire sprinkler contracting in that the licensee contracted and installed a fire sprinkler system but failed to obtain a permit prior to commencing work, and failed to submit plans and or hydraulic calculations to the City of Gaston Fire Chief to obtain the required permit prior to starting the fire sprinkler installation, per GS 87-21, William Kluttz signed a Proposed Resolution Agreement 03/19/2015.

The license of William Kluttz, number 16582 FS, FSIC, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, the licensee must 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.

**Lanning, Jonathan M.**  
**Lexington, NC**

**License# 29811, H-1, 2&3-1**  
Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permit (s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide adequate supervision, violated the minimum standard of the North Carolina State Mechanical Code, and failed to carry out adequate ductwork installation and system design. Resolution Conference held 03/09/2015. Jonathan Lanning signed a Proposed Resolution Agreement 03/09/2015. The license of Jonathan Lanning, number 29811 H-2&3-1, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, the licensee must enroll in, attend and complete the Special Board Laws and Rules course, and the Special Mechanical Code course. In the event of violation of any of the con-

ditions of probation, the 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.

**Lute, Robert M.**  
**Performance Air Conditioning**  
**& Heating LLC**  
**(former licensee of firm)**

**Saugus, CA**

**License# 31057, H2&3-1**  
Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to provide supervision, violated the State Mechanical Code; and the licensee failed to appear at the scheduled conference with the Board's Review Committee.

Resolution Conference held 03/13/2015.

Robert M. Lute failed to appear.

Resolution Conference results delivered to Mr. Lute by certified mail on 04/04/2015. The Review Committee recommended that the license of Robert M. Lutes, who has been a resident of California since early 2013, number 31057 H2&H-3-1, will be suspended until such time that he personally appears before the RRC to answer to the allegations contained in complaint file number 2015-78.

**Maney, Kenneth**  
**Pinehurst, NC**  
**License# 23842, H-3-1**

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 provide adequate supervision, failed to perform load calculation(s), failed to execute contracts to the extent of your qualification, and the licensee lives approximately 287 miles away from the firm location, Resolution Conference held 03/02/2015. Kenneth Maney signed a Proposed Resolution Agreement 03/02/2015.

The license of Kenneth Maney, number 23842 H-3-1, and the license of the firm be suspended for a period of three (3) years. If by the close of business on 03/06/2015, the licensee removes his license from the business name of Maney's Heating & Cooling, then the above suspension will be held in abeyance. If at any time during the suspension period outlined above, the licensee re-licenses the firm or any firm owned or operated by Richard Maney, then the license shall be suspended in accordance with this agreement. After complaint to the board, the licensee changed his license from Maney's Heating & Cooling to his individual name. Among other things, with-

in 90 days of approval of the agreement, the licensee must enroll in, attend and complete the Special Board Laws and Rules course. In the event of violation of any of the conditions of suspension, the license of the individual and of the firm will remain suspended until such time as the licensee and the firm comply with all of the suspension provisions.

**Mays, Roger L., Sr.**  
**Mays Heating & A/C**  
**New London, NC**

**License# 20212, 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 carry out adequate system design.

Resolution Conference held 03/09/2015. Roger Mays signed a Proposed Resolution Agreement 03/09/2015.

The license of Roger Mays, number 20212H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, the licensee must enroll in, attend and complete the Special Board Laws and Rules course, and the Special Mechanical Code course. 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 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.

**McGaha, Jeremy B.**  
**All Service Heating**  
**& Air Conditioning, Inc.**  
**Franklin, NC**

**License# 28746, 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, and failed to obtain final inspections.

Resolution Conference held 03/03/2015. Jeremy McGaha signed a Proposed Resolution Agreement 03/03/2015.

The license of Jeremy McGaha, number 28746 H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other things during the probation, the licensee must enroll in, attend and complete

the Special Board Laws and Rules course. 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 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.

**Miller, Robert W.**  
**Miller Contracting Services, LLC**  
**Matthews, NC**

**License# 19488, H-3-I**

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

Resolution Conference held 03/12/2015. Robert Miller signed a Proposed Resolution Agreement 03/12/2015.

The license of Robert Miller, number 19488 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, the licensee must enroll in, attend and complete the Special Board Laws and Rules course, and the Special Mechanical Code courses. 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 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.

**Nghiem, Anh H.**  
**Helios Technologies Inc.**

**Winston-Salem, NC**

**License# 30024, P-I**

Allegations of misconduct in the business of plumbing contracting in that the licensee allowed the use of license by unlicensed persons by issuing 1099's to unlicensed persons.

Resolution Conference held 03/12/2015. Anh Nghiem signed a Proposed Resolution Agreement 03/12/2015.

The license of Anh Huu Tuan Nghiem, number 30024 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) month. Among other things during the probation, the licensee must submit to the Board's office within the 30 days from today, 03/09/2015, copies of all employees W-4's and by the end of the probation submit a copy of all employ-

ees W-2's. 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 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.

**Scheppele, Wayne M.**  
**Cool Comfort Heating**  
**& Air Conditioning Co.**  
**Mooreville, NC**

**License# 20331, H-3-I**

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

Resolution Conference held 03/13/2015. Wayne Scheppele signed a Proposed Resolution Agreement 03/13/2015.

The license of Wayne Scheppele, number 20331 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) month. Among other things during the probation, within sixty (60) days of the approval of this order, the contractor shall return to the home located at 113 Sport Court Way, obtain a permit from the local inspection department, replace the existing cased coil with a properly installed cased coil (that provides proper service access per the code) and obtain a final inspection within seventy (70) days of approval of this order. The contractor shall submit evidence to the board within five (5) days of the final inspection that the job had been approved by the local inspector and that the installation meets the minimum standard of the NC Mechanical Code. In addition, the licensee must enroll in, attend and complete the Special Board Laws and Rules course, and the Special Mechanical Code courses. 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 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.

**Shores, Richard I.**  
**Shores Plumbing & Heating, Inc.**  
**Mocksville, NC**

**License# 06208, PH-3-I**

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee failed to properly supervise the plumbing installation of the

plumbing supply, drain waste, vent lines, and a Nortiz tankless water heater, and failed to meet minimum plumbing which is a violation of GS 87-21 sections .0406 and .0505. Richard Shores signed a Proposed Resolution Agreement 02/25/2015.

The license of Richard I. Shores, number 06208 PH-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, the licensee must enroll in, attend and complete the Special Board Laws & Rules course, and Special Plumbing Code and Design 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.

**Simpson, Michael B.**  
**Simpson Plumbing**  
**& Septic Service**  
**Hendersonville, NC**  
**License# 21604, P-I**

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

Resolution Conference held 03/03/2015.

Michael B. Simpson signed a Proposed Resolution Agreement 03/03/2015.

The license of Michael Simpson, number 21604 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) month. Among other things during the probation, the licensee must enroll in, attend and complete the Special Board Laws and Rules course, and the Special Plumbing Code and Design course. 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 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.

**Skinner, Daine W.**  
**Kannapolis, NC**

**License# 24533, FS**

Allegations of misconduct in the business of fire sprinkler contracting in that the licensee violated the Board Order dated 01/19/2012. Resolution Conference held 03/09/2015.

Daine Skinner failed to appear.

Resolution Conference results were hand delivered to Mr. Skinner on 03/27/2015. Review Committee determined that license of Daine Wendel Skinner, II, number 24533, be permanently revoked. The Review Com-

mittee found that Mr. Skinner received notice of the conference but failed to appear. The Board Order dated 01/19/2012 required Mr. Skinner to attend and complete the Board approved Business Management Disciplinary course; although Mr. Skinner was notified several times about the course and the dates for the course, he failed to attend. Mr. Skinner failed to attend additional continuing education as prescribed in the Board's Order; and Mr. Skinner failed to renew his license each year during the suspension by December 31 as prescribed in the Board's Order.

**Spencer, Harold T.**  
**Durham, NC**

**License# 16492, H-3-I**

Allegations of misconduct in the business of heating contracting in that the licensee failed to start the work on the installation of ductwork in a residence in a timely manner although he had already accepted money to perform the work, failed to obtain the required permit prior to commencement of the work, failed to request final inspection within 10 days of substantial completion of the work, and the following code violations were found: 1) the following installation/code violations present with the work performed: (1) Flexible duct not installed properly; vast majority of the duct installed lacks minimum 4 inch clearance to ground level (ductwork on the ground); and, (2) Improper flex duct coil sections at package unit and primary trunk-line; multiple coil sections not made in accordance with the manufacturer's installation instructions, and violated the board's rules and regulations on bona-fide employees by allowing individuals, who work for Mr. Spencer to be paid in cash without having any taxes withheld.

Harold Spencer signed a Proposed Resolution Agreement 04/10/2015.

The license of Harold Spencer, license, number 16492 H-3-I, and that of the firm shall be placed on a unsupervised probation for a period of twelve (12) months. 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 05/10/2015. Corrections shall be made at no expense to the property owner, and the licensee shall provide evidence to the Board of an approved final inspection by 05/10/2015. In addition, Mr. Spencer shall enroll in, attend and complete the series of Special Mechanical Code courses, shall enroll in, attend and complete the Special Board Laws & Rules class. 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.

**Stevens, Bryan T.**  
**Northwest Plumbing NC, Inc.**  
**Durham, NC**

**License# S. 24384, P-I**

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee failed to provide adequate supervision, allowed the use of license by unlicensed persons by issuing 1099's to unlicensed persons for multiple years, operating multiple offices without enough qualifiers or licenses listed in the name of the firm at the different firm locations, and failed to notify the board of an address change within the required 30 day period.

Resolution Conference held 03/02/2015.

Bryan Todd Stevens signed a Proposed Resolution Agreement 03/02/2015.

The license of Bryan Todd Stevens, number 24384 P-I, be suspended for a period of six (6) months. Within sixty (60) days from the date of the Resolution Conferenced, the licensee must assure that his license has been listed with the Board in the name that he currently operates his business. Among other things during the suspension, the licensee must enroll in, attend and complete the Special Board Laws and Rules course, and during the licensee of the firm or bona-fide employees of the licensee of the firm may perform warranty work on any installations performed in North Carolina that have received a final inspection as of the day of approval of this agreement. Upon successful completion of the suspension, the license of Bryan Stevens, number 24384 P-I, shall be placed on supervised probation for a period of thirty-six (36) months. In the event of violation of any of the conditions of probation, the license of the individual and of the firm will be permanently revoked.

**Stocker, Eric M.**  
**Dan King's One Hour Air Conditioning**  
**and Heating**  
**Charlotte, NC**

**License# 23509, H-3-I**

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain final inspections, and failed to assure that the well pump for the geothermal system was delivering enough water to support the combination new geothermal unit and the domestic water system. Resolution Conference held 12/15/2014.

Eric Stocker signed a Resolution Conference Agreement 12/15/2014.

Owner of the firm filed request to modify probation terms for company.

2nd Resolution Conference held. Modification Request denied.

The license of Eric Stocker, number 23509 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, Mr. Stocker must enroll in, attend and complete the Special Board Laws & Rules course. In addition, licensee made the following offers to the homeowner in order to resolve the issue with the geothermal system. After complaint to the Board, the licensee and firm voluntarily resolved the complaint with the homeowner. 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.

**Trivette, Paul S.  
Boone, NC**

**License# 32544, P-I**

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

Resolution Conference held 03/13/2015.

Paul Trivette signed a Proposed Resolution Agreement 03/13/2015.

The license of Paul Trivette, number 32544 P-I, and the license of the firm be suspended for a period of seven (7) months. Within thirty (30) days of signing the Resolution Conference, Mr. Trivette offered to refund to the homeowner at 4854 Miller-Paul Road

the sum of \$1,230.36, per the homeowner's invoices. After complaint to the board, the licensee submitted the reimbursement to the homeowners. Among other things during the probation, the licensee must enroll in, attend and complete the Special Board Laws and Rules course, and the Special Plumbing Code and Design course. Upon successful completion of the suspension, the license of Paul Trivette, number 32544 P-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) 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.

**Wilson, Christopher J.**

**D/B/A All About Plumbing and Septic  
Hendersonville, NC**

**License# 30796 P-I & RFSC**

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 failed to provide supervision.

Resolution Conference held 03/03/2015.

Christopher Wilson signed a Proposed Resolution Agreement 03/03/2015.

The license of Christopher Wilson, number 30796 P-I & RFSC, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, the licensee must enroll in, attend and complete the

Special Board Laws and Rules course. 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 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.

**Zube, Paul E.**

**Paul's Plumbing and Drain  
Hickory, NC**

**License# 20546 P-I**

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, violated the minimum standard of the North Carolina State Plumbing Code, installation performed in a poor workman like manner / poor workmanship, and allowed the use of license by unlicensed persons by issuing 1099's to unlicensed persons, Resolution Conference held 03/12/2015. Paul Zube signed a Proposed Resolution Agreement 03/12/2015.

The license of Paul Zube, number 20546 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other things during the probation, the licensee must enroll in, attend and complete the Special Board Laws and Rules course, and the Special Plumbing Code and Design course. 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 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.

## 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.

### **ALBERIO, JESSE**

#### **New Bern, NC**

Plumbing contracting without a license. Judgment of Permanent Injunction filed 3/12/15 enjoining the Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

### **ALEXANDER, GABRIEL**

#### **Fayetteville, NC**

Plumbing contracting without a license. Judgment of Permanent Injunction filed 3/25/15 enjoining the Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

### **BEARD, CHRISTOPHER**

#### **Fayetteville, NC**

Heating contracting in violation of 5/22/12 Permanent Injunction Judgment. Hearing held 4/20/15 and Order of Contempt entered finding the Defendant in contempt of court for violating the terms of the underlying injunction and ordering the Defendant to serve a 60 day active jail sentence.

### **BILES, ANDREW**

#### **d/b/a BILES BROTHERS HEATING & COOLING**

#### **Mooreville, NC**

Heating contracting without a license. Judgment of Permanent Injunction filed 4/2/15 enjoining the Defendant from engaging in business as a heating contractor until licensed to do so.

### **BOWEN, SEAN**

#### **Oxford, NC**

Plumbing contracting without a valid license. Judgment of Permanent Injunction filed 3/12/15 enjoining the defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

### **BOYD, JACK**

#### **BOYD'S CONSTRUCTION**

#### **Southport, NC**

Heating contracting without a valid license. Judgment of Permanent Injunction filed 12/30/14 enjoining the Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

### **BRIDGES, DANIEL**

#### **a/k/a DANIEL LEE COLTRANE**

#### **Greensboro, NC**

Heating contracting without a valid license.

Judgment of Permanent Injunction filed 2/12/15 enjoining defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

### **BUNN, PRESTON L.**

#### **Kinston, NC**

Allegations of incompetence, misconduct, failure to obtain permit and probation violation in that Respondent enabled a system to be operated on LP gas when set up as natural gas and with safety switches bypassed, Order issued 12/8/14 suspended license for 2 years with a year of probation and education requirements thereafter.

### **CAMPBELL, WILLIE RAY**

#### **Fairmont, NC**

Heating contracting in violation of Judgment of Permanent Injunction filed 3/25/02 and prior Order of Contempt file 5/02/03. Hearing held 2/19/15 and Order entered finding Defendant in contempt of court for violating the terms of the underlying injunction and ordering Defendant to serve a 30 day active jail time and to pay a \$500 fine.

### **CANDELARIO, NELSON**

#### **NELSON & SON**

#### **GENERAL CONTRACTING**

#### **Graham, NC**

Heating contracting without a valid license. Judgment of Permanent Injunction filed 4/9/15 enjoining the Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

### **CARR, GREGORY SHANE**

#### **Wendell, NC**

Heating contracting without a valid license. Judgment of Permanent Injunction filed 2/13/15 enjoining the Defendant from business as a plumbing and heating contractor until licensed to do so.

### **DICKINSON, ROBERT W.**

#### **Concord, NC**

Installation of undersized system, no load calculations, left as temporary for two years. Formal hearing held and Order issued. License suspended for one year followed by one year of supervised probation. Violation of terms of the order will result in suspension of license for 3 years.

### **GIATTINO, CHRISTOPHER M.**

#### **D/B/A RTP Service Pro**

#### **Durham, NC**

Heating contracting without a valid license. Judgment of Permanent Injunction filed 3/12/15 enjoining the Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

### **GLOVER, RODNEY**

#### **Dun Right Services**

#### **Fayetteville, NC**

Heating contracting without a valid license. Judgment of Permanent Injunction filed 1/28/15 enjoining the Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

### **HADDOCK, JEFFREY S.**

#### **d/b/a JSH Mechanical**

#### **Snow Hill, NC**

Heating contracting without a valid license. Judgment of Permanent Injunction filed 2/9/15 enjoining the Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

### **HEARON, ALLEN**

#### **d/b/a Al's Heating & Air**

#### **Hope Mills, NC**

Heating contracting without a license. Judgment of Permanent Injunction filed 4/17/15 enjoining the Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

### **HELMS, BOBBY GENE**

#### **SOUTHERN SUPERB HEATING & COOLING**

#### **New London, NC**

Heating contracting in violation of Judgment of Permanent Injunction filed on 5/16/13. Hearing held on 11/17/14 and Defendant found in contempt of court by and sentenced to a 30 day suspended sentence.

### **HITCHCOCK, KENNETH**

#### **d/b/a AUGUSTA SHEET METAL**

#### **Grovetown Georgia**

Heating contracting without a valid license. Judgment of Permanent Injunction filed 3/13/15 enjoining Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

**LATUCH, BOBBY WAYNE  
Hickory, NC**

Allegations of contracting from an unlicensed general contractor and/or license peddling as well as allegations of poor workmanship. Hearing held and Order issued 1/23/15. License of Respondent placed on supervised probation for one year. In the event of violation of probation, license will be suspended for one year. out with Sheriff.

**McELRATH, JEREMY  
JRM MECHANICAL  
Leicester, NC**

Heating contracting without a valid license. Judgment of Permanent Injunction filed 3/12/15 enjoining Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

**MONTAGUE, JAMES  
F7 DEVELOPMENT INC.  
Raleigh, NC**

Plumbing contracting without a valid license. Judgment of Permanent Injunction filed 2/20/15 enjoining Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

**OLIVER, JERRY  
Clinton, GA**

Plumbing contracting with a license. Judgment of Permanent Injunction filed 12/5/14 enjoining Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

**PLETCHER, CHARLES J.  
Hope Mills, NC**

Heating contracting without a valid license. Judgment of Permanent Injunction filed

2/12/15 enjoining Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

**REILICH, JEFFREY  
Pittsboro, NC**

Heating contracting without a license. Judgment of Permanent Injunction filed 12/15/15 enjoining the Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

**RITCHIE, JOE  
ACTION PLUMBING  
Mooreville, NC**

Plumbing contracting without a valid license. Judgment of Permanent Injunction filed 2/20/15 enjoining Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

**TAFT, ROBERT PAUL  
Charlotte, NC**

Allegations of plumbing contracting without a valid license. Judgment of permanent injunction filed 2/12/15 enjoining Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

**TINNES, DAVID  
Winston-Salem, NC**

Heating contracting without a valid license. Judgment of Permanent Injunction filed 3/2/15 enjoining Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

**TWINE, SAMUEL DAVID  
T&T HOME IMPROVEMENTS  
Fayetteville, NC**

Plumbing contracting without a valid license. Judgment of Permanent Injunction filed 3/12/15 enjoining Defendant from engaging

in business as a plumbing and heating contractor until licensed to do so.

**WALSTON, OTIS B.  
d/b/a WALSTON'S PLUMBING  
Wilson, NC**

Contempt allegations relating to violating terms of injunction judgment. Hearing held 4/6/15 and Defendant found in contempt of court for violating the terms of the underlying injunction and sentenced to 30 days suspended jail sentence.

**WHITE, ROBERT L.  
RL WHITE HEATING  
Morganton, NC**

Allegations of heating contracting without a valid license in violation of 8/24/09 Judgment of Permanent Injunction; Order of Contempt filed 12/15/14 finding defendant in contempt and sentencing Defendant to 6 days active jail time, a fine of \$300 and \$280 in costs.

**WOLFE, DANIEL ALLEN  
Wilmington, NC**

Heating contracting without a valid license. Judgment of Permanent Injunction filed 3/21/15 enjoining Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.

**WYNNE, JEFFREY  
J&J ENTERPRISES  
New Bern, NC**

Heating contracting without a valid license. Judgment of Permanent Injunction filed 12/5/14 enjoining Defendant from engaging in business as a plumbing and heating contractor until licensed to do so.