



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

September 2016

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Charlotte, NC

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

1109 Dresser Court
Raleigh, NC 27609

Phone: 919-875-3612

Annual License Renewals Required

All licenses issued by the Board expire on December 31st of each and every year.

October 1st of each year marks the beginning of the annual renewal period for all licensees. All licenses issued by the Board expire on December 31st of every year and must be renewed annually in order to engage in activities requiring licensure.

Renewal notices will be mailed to all licensees during the first week of October, at the address on file with the Board. The notices will contain the user name and password which allows you to use the online renewal service and a credit card. The online renewal option is available to licensees whose license will expire in 2016, and have no changes to make to the trade name or sub-licensees. Licensees are responsible for renewal, even if no notice is received due to incorrect addresses or delivery issues with the U.S. Postal Service.

If your license expired in 2013, 2014, or 2015, or if you need to make changes to the trade name or sub-licensee listing, licensees must complete the form that is received and submit it to our office with check or money order as in years past. You may also submit the paper form and payment if you do not have access to the internet or do not wish to renew online.

THERE IS NO GRACE PERIOD AFTER DECEMBER 31st!

If the license is not renewed by December 31st all bidding, contracting, and any in-progress work on jobs requiring a license must cease until the license has been restored to active status. Local inspection departments have the right to deny permit applications if a license is expired.

Every year our office staff and field representatives receive calls throughout the months of January, February and March from contractors in a panic because they cannot obtain permits for a job that they need to start immediately. By renewing before December 31st, licensees can avoid these issues and any job delays that may result from the expiration of the license.

We cannot renew licenses over the telephone, and we cannot renew licenses while you wait if you visit our office. If submitting your renewal form and payment to our office, please understand that it may take 2-3 days to process the renewal and reactivate the license. The local inspection department is under no obligation to issue a permit until the renewal has been processed by our staff and the license is showing as active for 2017 on the Board's website.

Licenses renewed after January 31st will also be subject to a \$25.00 late renewal processing fee. This is simply an opportunity to renew during January without paying a late fee, and is not a grace period during which licensed activities can be continued without renewal.

If you have any questions concerning renewal, please contact our Licensing Coordinator, Dejaya Soltys, at 919-875-3612, ext. 203. If you prefer, you may send her an e-mail at dsoltys@nclicensing.org.

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Is Your Information Correct?

The Board's laws and rules require that licensees provide the Board with current information regarding the name in which business is being conducted and the current addresses. These requirements are important to the licensee for a number of reasons.

If the licensee is doing business in any name that is different from that which is on file with the Board, there is not only a risk of being disciplined by the Board, but there is also a risk that any mechanic's lien or small claims settlements may be denied due to the fact that contractual agreements were made in a name that is not associated with the license.

If the licensee has not provided the Board with a current and valid address, the licensee may not receive mailings from the Board, such as license renewal notices and other special announcements.

If a licensee wishes to check the name and address currently associated with the license, the License Search feature of the Board's website may be used. By simply entering the license number, the information will be displayed for review. The License Search function may be accessed by clicking this link: <https://onlineweb.nclicensing.org/Lookup/LicenseLookup.aspx>

If a change needs to be made to the trade name, the Trade Name Change form should be completed and submitted to the Board's office with the processing fee. If only the address needs to be changed, the Address Change form should be completed and submitted, and there is no fee for this form.

Both forms are available on the Forms page of the Board's website at this link: <http://nclicensing.org/forms.asp>

If you have any questions regarding these or any other licensing issues, please feel free to contact the Board's office at 919-875-3612 or by e-mail at information@nclicensing.org

Proposed Rule Changes - Notice of Public Hearing

On July 22, 2016, the House Bill 742 was signed into law, which amended North Carolina General Statute 87-21. This change requires the State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors to begin issuing a number of new licenses created by the amendment. The new licenses will be known as the State and Local Government Technician license, and will be issued for plumbing as well as for heating groups 1, 2 and 3. The effective date is October 1, 2016; however, before licenses can be issued the Board must establish new rules to address the new licenses.

The Board has submitted the proposed rules to the State as required by law, and will be conducting a public hearing on the proposed rules in order to receive public comment. The text of the amendment, as well as the proposed rules, can be found beginning on Page 3 of this newsletter and on the Board's website at www.nclicensing.org.

Public Hearing - Proposed Rule Changes
8:30 a.m. - December 13, 2016
Main Board Room
1109 Dresser Court
Raleigh, NC 27609

Written comments regarding the proposed rules may be submitted to:
Dale Dawson, Executive Director
State Board of Examiners of Plumbing,
Heating & Fire Sprinkler Contractors
109 Dresser Court
Raleigh, NC 27609

House Bill 742 resulted in the following amendments to GS 87-21:

GS 87-21. Definitions; contractors licensed by Board; examination; posting license, etc.

(b)(2)(c) The Board shall establish and issue

1. A State and local government plumbing, heating group number one, heating group number two, or heating group number three technician license for use by persons who do not possess the required plumbing, heating group number one, heating group number two, or heating group number three contractor license but desire to engage in the installation, repair, or replacement of plumbing, heating group number one, heating group number two, or heating group number three solely as an employee of a State or local government agency.
2. A State and local government plumbing, heating group number one, heating group number two, or heating group number three technician license for use by persons who do possess the required plumbing, heating group number one, heating group number two, or heating group number three contractor license but also desire to engage in the installation, repair, or replacement of plumbing, heating group number one, heating group number two, or heating group number three as an employee of a State or local government agency without listing their contractor license in the name of the State or local government agency. Licensed contractors who obtain the State and local government technician license shall be allowed to contract and perform work under their contractor license only during hours such contractor is not actively employed with the State or local government as a technician, and is on-site carrying out the contracting activity personally. No work can be performed by the State or local government agency in reliance upon the technician license when the licensee is not present.

The following rules are proposed by the Board in response to the amendments in GS 87-21.

21 NCAC 50 .0312 STATE AND LOCAL GOVERNMENT PLUMBING OR HEATING TECHNICIAN

is proposed to be adopted as follows:

(a) In order to determine the qualifications of an applicant for a license as a State or local government plumbing or heating technician, the Board shall provide a written or computer-based examination in the following categories:

- (1) State and Local Government Plumbing Technician
- (2) State & Local Government Heating Group No. 1 Technician
- (3) State & Local Government Heating Group No. 2 Technician
- (4) State & Local Government Heating Group No. 3 Technician

(b) Applicants for a license as a State & Local Government Plumbing or Heating Technician must obtain a license based on experience set forth in Rule .0312(c) and must pass the Class I technical and Board laws and rules part of the Board-administered examination related to the category for which a technician license is sought. Such applicant need not pass the business part of the examination.

(c) Applicants for a license as a State & Local Government plumbing or heating technician shall present evidence adequate to establish 3000 hours of full-time experience in the installation, maintenance, service or repair of plumbing or heating systems related to the category for which a technician license is sought, whether or not a license was required for the work performed.

(d) Applicants for a license as a State & Local Government Technician who currently hold an active plumbing, or heating contractor license issued by this board may qualify for the corresponding State and local government technician license without examination. 21

History Note: Authority G.S. 87-18; 87-21(a); 87-21(b); Eff. February 1, 2017

21 NCAC 50 .0313 RESPONSIBILITIES OF STATE AND LOCAL GOVERNMENT TECHNICIAN LICENSEES

is proposed to be adopted as follows:

(a) A licensed state & local government technician licensee shall be required to list their license with the Board in the name of the state & local government agency by whom the licensee is employed,

(b) The holder of license as a State & Local Government Heating, Group 1 Technician, Heating, Group 2 Technician, Heating Group 3 Technician or Plumbing Technician shall be a full-time employee of a State or Local Government agency.

(c) A licensed state & local government technician licensee shall ensure that a permit is obtained from the appropriate state or local Code Enforcement official before commencing any work for which a license is required by the Board. The licensee shall also ensure that a request for final inspection of the work for which a license is required is made within 10 days of the earlier of the system being made operational or placed in service, absent agreement with the appropriate state or local Code Enforcement official. Absent agreement with the local Code Enforcement official the licensee is not relieved of responsibility to the Board to arrange inspection until a certificate of compliance or the equivalent is obtained from the appropriate state or local code enforcement official or the license has clear and convincing evidence of his effort to obtain the same.

(d) The failure of a licensee to comply with the permit and inspection obligations outlined in this Rule shall be considered by the Board as evidence of incompetence or misconduct in the use of license from the Board. (e) A licensed state & local government technician licensee is responsible for general supervision to the extent of his qualifications, compliance with all applicable codes and standards, and assurance that permits and inspections are obtained.

(f) The general supervision required by G.S. 87-26 is that degree of supervision which is necessary and sufficient to ensure that the work is performed in a workmanlike manner and with the requisite skill and that the installation is made properly, safely and in accordance with applicable codes and rules. General supervision requires that review of the work done pursuant to the state and local government technician license be performed by the state and local government technician licensee while the work is in progress.

(g) In each state or local government agency location, branch or facility of any kind from which work requiring a license pursuant to G.S. 87, Article 2 is carried out there shall be on duty the lesser of 1500 hours annually, or all hours during which the activities described herein are carried out, at least one individual who holds the appropriate state & local government technician license in the classification required for the work being proposed or performed, whose license is listed in the name of the particular state or local government agency at that location, and who is engaged in the work of the state or local government at the agency location or at an agency job site and who has the responsibility to exercise general supervision over the work and who has been empowered to act for the state or local government agency, as defined in Rule 21 NCAC .0505 of this Chapter, of all work falling within his license qualification. Evidence of compliance shall be required as a condition of renewal or retention of license and falsification shall constitute fraud in obtaining license. The standards set forth in Rule 21 NCAC 50 .0512 shall be applied.

(h) An unlicensed person who is directly and regularly employed by state & local government agency licensed pursuant to G.S. 87, Article 2 is not required to have a license and shall not be subject to an action for injunctive relief brought by the Board if the unlicensed person is a bona-fide employee of the state & local government.

(i) The annual license fee for a State & Local Government Technician license is one hundred thirty dollars (\$130.00), except as provided in subsection (j) below.

(j) The annual license fee for a State & Local Government Technician Plumbing or Heating Technician license which is listed as the second or subsequent licensee at the same agency location is sixty-five dollars (\$65.00).

History Note: Authority G.S. 87-18; 87-21(a)(5); 87-21(a)(6); 87-21(a)(10)87-21(b)(3); 87-22; 87-22.1;87-26; Eff. February 1, 2017

21 NCAC 50 .1104 FEES FOR COPIES OF RECORDS AND RETURNED CHECKS

is proposed to be amended as follows:

The Board charges the following fees:

- | | |
|---|---|
| (1) copies of license | \$20.00 |
| (2) abstract of license record | \$25.00 per license record search |
| (3) processing fee for returned checks maximum allowed by law | |
| (4) copy of Board rules | \$10.00 |
| (5) processing fee for late renewal | \$25.00 |
| (6) Business and Project Management for Contractors | \$45.00 Publisher's Retail Price |

History Note: Authority G.S. 25-3-506; 87-18; 87-22; 150B-19; Eff. September 1, 1994; Amended Eff. February 1, 2017; July 1, 1998; November 1, 1994; Temporary Amendment Eff. August 31, 2001; Amended Eff. July 1, 2010; December 1, 2003; December 4, 2002;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.

21 NCAC 50 .0405 MULTIPLE LICENSES

is proposed amended as follows:

(a) In order to maintain the identity of firms and allow effective supervision, each licensed contractor or technician shall qualify only the business location where he is primarily located.

(b) A licensee may be listed on only one contractor license at any given time, whether the license is issued in the name of the individual or in the name of a firm; provided, however, that the fire sprinkler maintenance technician qualification and the state and local government technician qualification may be listed separately in the name of the employer to which restricted.

(c) The holder of qualification as a contractor may, upon deletion of his name and qualifications from a firm license, reinstate his personal license, either as an individual or in the name of some other corporation, partnership, or business that has a trade name, upon compliance with G.S. 87-26.

(d) A technician licensee, other than the holder of a Fire Sprinkler Maintenance Technician license, may, upon deletion of his name and qualification from a firm license, move his qualification to another licensed corporation, partnership or business which has a trade name, upon compliance with G.S. 87-26. 14

History Note: Authority G.S. 87-18; 87-21(a)(5); 87-21(a)(6); 87-21(b)(2)(c);87-26; Eff. February 1, 1976; Readopted Eff. September 29, 1977;

Amended Eff. February 1, 2017; December 31, 2011; January 1, 2010; January 1, 2004; July 1, 1998; May 1, 1989; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.

21 NCAC 50.0414 SUPERVISION IN ABSENCE OF INSPECTION

is proposed to be adopted as follows:

In lieu of the supervision required by 21 NCAC 50.0505, the holder of the qualifications upon which a license is based shall personally examine all work performed in reliance upon the license at completion and before the work is placed in service to assure that the installation, replacement or repair is performed in compliance with the current edition of the NC Building Codes and the manufacturers installation instructions, where the work will not be examined and approved by a person holding qualification from the Code Officials Qualification Board.

History Note: Authority G.S. 87-18; 87-21(b)(2)(c);87-25;87-26 Eff. February 1, 2017

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
• 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

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

Kimberly Dew

Receptionist/Office Assistant
Extension 213 or kdew@nclicensing.org

Administrative Officer (Field Staff) Directory

Fax for all Administrative Officers: 919-875-3616

Vacant

South Central Region
919-875-3612 or complaint@nclicensing.org

Kevin Thibodeaux

Coastal Region
910-409-7127 or kthibodeaux@nclicensing.org

Tom Johnston

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

Scott Bilsky

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

David Boulay

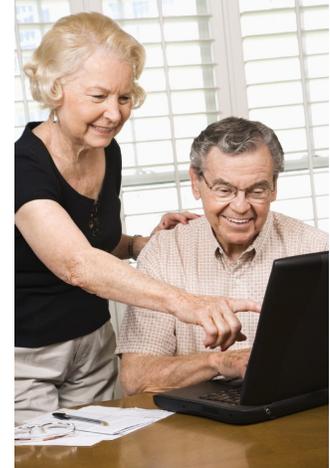
Western Region
828-234-2719 or dboulay@nclicensing.org

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.



Compliant Form

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. Renewal form - 2017 without Sub-licensees
2. Renewal form - 2017 with Sublicensees
3. Renewal form -2017 and Previous Year(s) without Sub-Licensees
4. Renewal form - 2017 and Previous Year(s) with Sub-Licensees
5. Reinstatement For—2017 Sub-licensees returning to Contractor status
6. Renewal form - 2016 without Sub-licensees
7. Renewal form - 2016 with Sublicensees
8. Renewal form -2016 and Previous Year(s) without Sub-Licensees
9. Renewal form - 2016 and Previous Year(s) with Sub-Licensees
10. Reinstatement For—2016 Sub-licensees returning to Contractor status

New Applicant Forms

1. Plumbing, Heating, & Fuel Piping Contractor Examination Application
2. Restricted Limited Plumbing Contractor Application
3. Fire Sprinkler Installation Contractor Examination Application
4. Book Reference List for All Applicants
- 5.. Request for Exam Review (for applicants 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

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 three 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>
Boone, Ronald M.	Wallace, NC	5/16/2016	Martin, Timothy G.	Newton, NC	5/23/2016
Crawford, J. Travis	Charlotte, NC	6/3/2016	Price, Robert D.	Charlotte, NC	7/6/2016
Edmisten Jr., John H.	Boone, NC	7/7/2016	Pringle, Phillip G.	Newton, NC	5/23/2016
Hinson, Ronnie L.	Concord, NC	7/7/2016	Snyder, David L.	Hickory, NC	5/23/2016
Huffman, Randy C.	N. Wilkesboro	7/6/2016	Walker, Aaron G.	Wake Forest, NC	6/28/2016
Husted, Danny L.	Thomasville, NC	5/18/2016	Woods, Doyle R.	Franklin, NC	5/2/2016
Knapp Jr., Richard S.	Burlington, NC	4/27/2016			

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>
Baker, Archie	Charlotte, NC	8/1/2016	McMahon, Edward F.	Candler, NC	7/26/2016
Baldwin, John W.	Bath, NC	7/19/2016	Niemann, Shaun	York, SC	8/15/2016
Belcher, Charles	Carrboro, NC	7/12/2016	Nouanthanuvanh, Danin	Charlotte, NC	8/3/2016
Bentley, George	Denver, CO	8/10/2016	Panzica, Phillip	Ypsilanti, MI	6/23/2016
Blackwell, Christopher S.	Marion, NC	6/9/2016	Singleton, Ricky R.	Morganton, NC	7/19/2016
Constance, John L.	Saluda, NC	7/27/2016	Stroud, William	Carrboro, NC	7/13/2016
Havey, Christopher R.	Charlotte, NC	8/2/2016	Sturgell, Scott	Hays, NC	6/21/2016
Hoppes, John M.	Granite Falls, NC	7/19/2016	Westmoreland, Douglas C.	Lenoir, NC	7/19/2016
Jones, Linwood	Garner, NC	6/21/2016	Wheeler, Sean Preston	Benson, NC	1/21/2016
Marsh, Nicholas C.	Chocowinity, NC	5/27/2016	Zhou, Li	Charlotte, NC	8/3/2016

Resolution Agreements

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

**Baker, Daniel R.
Edenton, NC**

License# 12199 P-I

Allegations of misconduct and job abandonment in the business of plumbing contracting in that the licensee failed to provide supervision, and the firm, Mean Green Energy Enterprises, obtained money from a homeowner for work not performed,

Resolution Conference held 06/30/2016.

The license of Daniel Baker, number 12199 P-I, and the license of the firm, Mean Green Energy Enterprises, be suspended for a period of twelve (12) months. Among other requirements during the suspension, the licensee shall enroll in, attend and complete the Special Board Laws & Rules course. Upon successful completion of the suspension, his license and that of the firm shall be placed on supervised probation for a period of thirty-six (36) months. Among other requirements during the probation, the licensee must only contract and perform work that is located in areas that are easily and fully accessible by a wheel chair. No work can be contracted or performed under his license where the work is located in a crawlspace, in an attic or in an area where the licensee cannot physically review from his wheelchair. If the firm employees another properly licensed plumbing contractor then the firm can contract the above restricted work but the other licensee shall be responsible for all supervision on work in those limited accessible areas. Within sixty (60) days of the start 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 Plumbing 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, license of the individual and of the firm will be suspended for a period of eighteen (18) 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.

**Blanchard, Howard E. III
TLP H&A Inc. d/b/a 72 Degrees
Heating and Air Conditioning
Apex, NC**

License# 29266 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 provide adequate supervision to assure that the installation was properly installed and designed, failed to maintain a copy of the load calculation, and violated the minimum standard of the North Carolina State Fuel Gas Code.

Resolution Conference held 07/01/2016.

The license of Howard Blanchard, number 29266 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, licensee shall enroll in, attend and complete the series of Special Fuel Gas Code and Design course and 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.

**Bradley, Matthew T.
Matthew Bradley Plumbing
Raleigh, NC**

License# 20085, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to obtain permit(s) prior to commencing work, contracted and performed work outside licensing qualifications, and engaged in business under a different name or style of business than appears on his/her license. Resolution Conference held 06/29/2016. The license of Matthew Bradley, number

20085 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 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.

**Carter, Jeffrey S.
Carter's Heating & Air
Boliva, NC**

License# 17761 H2&3-I

Allegations of misconduct, incompetence, and working without a license 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, contracted work while license was expired, and failed to provide a copy of the load calculation and a copy of the contract.

Resolution Conference held 05/19/2016.

The license of Jeffrey Carter, number 17761 H-2&3-I, and the license of the firm be suspended for a period of twelve (12) months. Among other requirements during the suspension, the licensee shall enroll in, attend and complete the Special Board Laws & Rules course, and complete the series of Special Contractor Business Management course. Upon successful completion of the suspension, his license, number 17761 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 requirements during the probation, the 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 the probation, license of the individual and of the firm shall be revoked.

**Cawthorn, Richard
Fairview, NC**

License# 16678, H-3-I

Allegations of incompetence in the business of heating contracting in that the licensee, while as a sub-licensee to James Thompson of Thompson Mechanical, number 07399, contracted and performed the installation of a new 2 ton 15 seer Goodman heat pump, and the following issues were noted with the installation: (1) condensing unit did not have minimum clearance from foundation of home according to manufacture installation instructions; and, (2) condensing unit was not level. Richard Cawthorn signed a Proposed Resolution Agreement on 07/12/2016.

The license of Richard Cawthorn, number 16678 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve months. Among other requirements during the probation, 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.

**Coggins, Weston S.
Pipeworx Plumbing, Inc.
Sanford, NC**

License# 31056, 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 06/27/2016.

The license of Weston Coggins, number 31056 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, licensee shall 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, 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 (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.

**Copley, Kenneth N.
Comfort Zone
Elizabeth City, NC
License# 28652 H-3-II**

Allegations of misconduct, incompetence, and job abandonment in the business of heating contracting in that the licensee submitted forged final inspections to SEARS in order to receive payment, failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, obtained money and failed to complete installation, violated the minimum standard of the North Carolina State Mechanical Code, and allowed the use of license by unlicensed persons by paying unlicensed persons in the form of cash.

Resolution Conference held 06/11/2016.

The license of Kenneth N. Copley, number 28652 H-3-II, and the license of the firm be suspended for a period of six (6) months. Among other requirements during the suspension, the licensee shall assure that the educational requirement listed in the August 6, 2015 consent order is completed. In the event of violation of any of the conditions of suspension, license of the individual and of the firm shall remain suspended until such time as the licensee and the firm comply with all of the suspension provisions listed above.

**Davis, Roy O.
Nags Head, NC**

License# 30147, P-I

Allegations of misconduct, working without a license, and job abandonment in the business of plumbing contracting in that the licensee failed to comply with previous disciplinary agreement, performed well pump work during suspension of the license, and failed to complete well pump job.

Resolution Conference held 06/11/2016.

The license of Roy Davis, number 30147 P-I, and the license of the firm shall remain suspended until February 6, 2017. During the suspension, the licensee must successfully attend and complete the August 6, 2016, session A of the Board Disciplinary Plumbing Code & Design Course. Upon successful completion of the suspension, his license, number 30147 P-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months.

**Discher, Michael
Air Conditioning Experts, Inc.
Concord, NC**

License# 33000, H-3-II

Allegations of misconduct in the business of heating contracting in that the licensee failed to request final inspections within 10 days of substantial completion of the work.

Michael Discher signed Proposed Resolution Agreement on 06/29/2016.

The license of Michael Discher, number 33000 H-3-II, and that of the firm shall be

placed on unsupervised probation for a period of twelve months. Among other requirements during the probation, 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 DAYS (60) days, enroll in, attend and complete the series of Special Mechanical Code courses and 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.

**Dziedzic, Gary T.
Maximum Mechanical, Inc.
Cary, NC**

License# 12667, PH-I & 3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide adequate supervision, violated the minimum standard of the North Carolina State Mechanical Code, and engaged in business under a different name or style of business than appears on his license. Gary Dziedzic signed a Proposed Resolution Agreement 06/27/2016.

The license of Gary Dziedzic, number 12667 PH-I&3-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other requirements during the probation, the 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, the licensee shall reappear before the Resolution Review Committee where the licensee of the individual and of the firm may be suspended for a period of four (4) months depending on circumstances of any new complaints or items considered as probation violations.

**Fairfax, James K.
72 Degrees Cooling and Heating, LLC
Whiteville, NC**

License# 13715, H-1,2&3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee licensed a firm which performed work that requires a license while the licensee was actively employed at the local community college during the day as an instructor, 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 Fuel Gas Code, failed to install gas piping correctly, and exposed occupant of business to a potential gas leak.

Resolution Conference held 05/18/2016.

The license of James K. Fairfax, number 13715 H-1,2&3-I, and the license of the firm be suspended for a period of six (6) months. Among other requirements during the suspension, the licensee must enroll in, attend and complete the Special Board Laws & Rules course. Upon successful completion of the suspension, his license, number 13715 H-1,2&3-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months. During the probation, the 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 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.

**Fisher, Wayne F.
Enhanced Heating &
Air Conditioning, LLC
Raleigh, NC**

License# 31660, H2&3-I

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

Resolution Conference held 06/27/2016.

The license of Wayne Fisher, number 31660 H2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, by August 2, 2016 the licensee shall submit to the Board a letter from the homeowner at 601 Prince Dr. documenting that the work has been completed and that the system is properly working, licensee shall enroll in, attend and complete the series of Special Mechanical Code courses, and 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.

**Flynn, Keith B.
High Point Refrigeration & A/C Co
High Point, NC
License# 08649, H-1&3-I**

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

Resolution Conference held 07/05/2016.

Licensee failed to appear.

Received 07/22/2016. Voluntary request to surrender license submitted on behalf of Keith B. Flynn by Jay M. Flynn, acting as General Power of Attorney.

Review Committee recommended to accept the request to voluntarily surrender the license of Keith B. Flynn, number 08649, H-1&3-I.

**Foster, Raymond W.
Greenville, NC**

License# L. 24524, H-2&3-I

Allegations of misconduct 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, and failed to respond to consumer in a timely manner/poor business practices.

Resolution Conference held 06/30/2016.

The Review Committee recommended to rescind the suspension of Raymond Foster's license upon completion of the following two items: (1) That this Resolution Conference Proposed Resolution Agreement be submitted to and approved by the Board; and (2) That Mr. Foster return to the home at 1602 Longwood Dr., repair the HVAC system and assure that the system is operating properly and has been operating properly for a minimum of 30 days. Mr. Foster shall provide the Board with a letter from the homeowner stating that the system has been operating properly as outlined above. Upon successful completion of the suspension, the license of Raymond Foster, number 24524 H-2&3-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, license of the individual and of the firm will be suspended for a period of twenty-four (24) 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.

**Grubb, Joyce S.
Lexington, NC**

License# 15278, H-3-I & H-2

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

Joyce Grubb signed a Proposed Resolution Agreement 05/25/2016.

Review Committee recommended accepting the voluntary surrender of license, number 15278 H-3-I & H-2, and the license of the firm. The act of surrendering the license is considered to be a licensing revocation.

**Hall, William B. III
Shamrock Heating & Air, Inc.
Greensboro, NC**

License# 20552, H-3-I

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

Resolution Conference held 07/06/2016.

The license of William Hall, number 20552 H-3-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months. Within thirty (30) days of the approval of this order the contractor shall return to the home located at 1603 Buffalo Street and perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized or oversized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection within forty-five (45) days of approval of this order. The contractor shall submit evidence to the board within ten (10) days of the final inspection and shall submit a copy of his load calculation and a copy of the final inspection (if the equipment had to be changed). Licensee shall also 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 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.

**Harrell, Selby F.
Mount Olive, NC
License# 23387, H-3-I**

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide supervision, violated the minimum standard of the North Carolina State Mechanical Code, allowed Carl Grantham to contract jobs and then use his license to obtain permits for the work, allowed the use of license by unlicensed persons by issuing 1099's to unlicensed persons, obtained permits and allowed his license number to appear on a permits on a jobs where the licensee did not hold the contract with the owner or general contractor, did not receive the contractual payment for the

job and bona-fide employees did not permit the work, and contracted work as Harrell Heating and A/C while license was listed in individual name.

Resolution Conference held 05/19/2016.
The license of Selby Harrell, number 23387 H-3-I, and the license of the firm be suspended for a period of six (6) months. Among other requirements during the suspension, the licensee must enroll in, attend and complete the Special Board Laws & Rules course. Upon successful completion of the suspension, his license, number 23387 H-3-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months. During the probation, within ten (10) days of the beginning of the probation the licensee shall listed his name with the board in the name the licensee is using to contract work, and submit to the Board's office within ten (10) days of the beginning of this probation submit to the board copies of all employees W-4's and by April 15 of each year during the probation the licensee shall submit copies of all employee W-2's. 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.

Hempton, John A.
Herlocker Mechanical Systems, Inc.
Pineville, NC

License# L. 19285, P-I
Allegations of misconduct in the business of heating contracting in that the licensee signed for and verified the mechanical experience application form for the applicant, Michael Smith, in which he verified by signing that the applicant had been a bona fide employee of the firm; however, the applicant had been paid in cash and/or with a form 1099 in violation of NCAC 21 section 50.0512.
John Hempton signed a Proposed Resolution Agreement 05/04/2016.
The license of John Hempton, number 19285, P-I, and that of the firm shall be placed on a unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, 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.

Jeffries, Gary
Inline Plumbing Co.

Fuquay Varina, NC

License# L. 16069, P-I
Allegations of misconduct in the business of plumbing contracting in that the licensee issued 1099's to individuals for work performed under his license in violation of NCAC 21 section 50.0512.
Gary Jeffries signed a Proposed Resolution Agreement 05/18/2016.
The license of Gary Jeffries, number 16069, P-I, and that of the firm shall be placed on an unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, 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.

Lovick, John C.
Fatman Plumbing & Drain Cleaning
Waxhaw, NC

License# 20035, P-II
Allegations of misconduct in the business of plumbing contracting in that the licensee subcontracted work that requires a license to an unlicensed individual (Douglas McVey), and during this business arrangement, licensee simultaneously operated under multiple business names (Fatman Plumbing Repair, Fatman Plumbing & Drain Cleaning, Fatman Plumbing Pro & John Christopher's Plumbing Repair).
John C. Lovick signed Proposed Resolution Agreement on 08/02/2016.
The license of John C. Lovick, number 20035, P-II, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. Among other requirements during the probation, 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 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.

Martin, Travis S.
Shew's HVAC, LLC
Elkin, NC

License# 23555 H-2&3-I
Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to provide supervision, failed to carry out adequate ductwork installation and system design, failed to perform proper load calculation(s), failed to perform

a proper duct design, and failed to respond to the consumer in a reasonable timeframe. Resolution Conference held 07/07/2016.
The license of Travis Martin, number 23555 H-2&3-I, and that of the firm shall be placed on supervised probation for a period of eighteen (18) months. Among other requirements during the probation, within sixty (60) days of the approval of this order the contractor shall return to the home located at 1490 Mrary Creek Rd., and perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized or oversized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection within sixty (60) days of approval of this order. The contractor shall submit evidence to the board within ten (10) days of the final inspection and shall submit a copy of his load calculation. Within sixty (60) days of the approval of this order the contractor shall perform a thorough Manual D and Manual S calculations to assure that the installation is in compliance with these calculations. Within sixty (60) days of the approval of this order the contractor shall perform a flow hood test to verify and balance the duct system to assure that the correct CFM's are being achieved for each room at the home located at 1490 Mrary Creek Rd. The contractor shall also assure that the duct system is properly installed to serve the CFM requirements of the home and that the proper ducting and zoning system has been installed in conjunction with the equipment installed. If duct modifications are needed then the licensee shall obtain a permit from the local inspection department before making the necessary duct modifications. The contractor shall submit evidence to the board within ten (10) days of the final inspection and shall submit a copy of his load calculation. In addition, the licensee shall enroll in, attend and complete the series of Special Mechanical Design courses, and 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 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 provision.

McKinney, Dwayne N.
McKinney Heating & Cooling LLC
Fletcher, NC

License# 24136, H-3-I
Allegations of misconduct and incompetence in the business of heating contracting in that the licensee improperly listed his license in his individual name when he owned and op-

erated McKinney Heating and Cooling in violation of GS 87-21, section 50.0406, failed to obtain a permit(s) prior to commencing work, failed to perform a load calculation for the mechanical installation in violation of GS 87-21, section 50.0505., and failed to request final inspection(s) within 10 days of substantial completion of the work.

Dwayne McKinney signed Proposed Resolution Agreement 06/29/2016.

The license of Dwayne McKinney, number 24136 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve months. Among other requirements during the probation, by 07/10/2016, licensee shall list his license with the Board in the name that he currently operates his business, 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. By July 21st, 2016, the contractor shall return to the home(s) located at 701 Zelda Court, 1214 Highland Avenue, 3044 Holly Hill Road and perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized or oversized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection by July 28th, 2016. The contractor shall submit evidence to the board by August 4th, 2016 of the final inspections and shall submit a copy of his load calculations. After complaint to the Board, the licensee submitted copies of permits and load calculations for all locations. 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.

McNeill, Kenneth W.

**Five Star Mechanical HVAC Services
Raleigh, NC**

License# 30361, H-2&3-I

Allegations of misconduct in the business of heating contracting in that the licensee issued 1099's to Justin Bohannon for work performed under his license in violation of violation of NCAC 21 section 50.0512.

Kenneth McNeill signed a Proposed Resolution Agreement 05/18/2016.

The license of Kenneth McNeill, number 30361, H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, the licen-

see 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 provision.

Moore, Raymond R.

**Air Master Technologies, Inc.
Salisbury, NC**

License# 06842, H-1,2&3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide supervision, failed to perform load calculation(s), violated the minimum standard of the North Carolina State Mechanical Code, violated the minimum standard of the North Carolina State Fuel Gas Code, failed to install gas piping and flue piping correctly, exposed occupant of home to a gas leak, created risk of personal injury or property damage, aiding and abetting an unlicensed individual in that the licensee purchased equipment for the unlicensed person and pulled a permit on a job installed by an unlicensed person, and obtained a permit and allowed your license number to appear on a permit on a job where the licensee did not hold the contract with the homeowner or general contractor and did not receive the contractual payment for the job.

Resolution Conference held 07/06/2016.

The license of Raymond Moore, number 6842 H-1, 2&3-I, and the license of the firm is suspended for a period of thirty (30) days. Among other requirements, license will be restored at the end of the suspension, provided that the licensee enrolls in, attends and completes the Special Board Laws & Rules course. Upon successful completion of the suspension, his license number and that of the firm shall be placed on supervised probation for a period of thirty-six (36) months. During the probation, the licensee shall enroll in, attend and complete the series of Special Fuel Gas Code and Design course, and the Special Mechanical Code 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 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.

Painter, Robert K.

d/b/a Romanoff Heating & Cooling,

Charlotte, LLC

Charlotte, NC

License# 29335, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to ensure proper system operation for the installation of 2 HVAC systems, and although licensee did provide some supervision during construction, failed to provide the level of necessary supervision to assure the installation was properly installed.

Robert Painter signed Proposed Resolution Agreement on 08/01/2016.

The license of Robert Painter, number 29335, H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve months. Among other requirements during the probation, 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.

Pearson, Christopher T.

**Landmark Services Group, Inc.
Charlotte, NC**

License# 31389, H-2-3-I

Allegations of misconduct in the business of heating contracting in that the licensee engaged in business under a different name or style of business than appears on his/her license, failed to properly permit the mechanical installation of a condensing unit in violation of GS 87-21 section .0402, and failed to perform a load calculation in violation of GS 87-21 section .0505.

Christopher Pearson signed a Proposed Resolution Agreement on 06/22/2016.

The license of Christopher Pearson, number 31389 H-2-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve months. Among other requirements during the probation, licensee shall enroll in, attend and complete the Special Board Laws & Rules course. By 06/29/2016, licensee shall assure that his license has been listed with the Board in the name that he currently operates his business. By June 29th, 2016, the contractor shall return to the home located at 4812 Charleston, Drive and perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized or oversized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection by July 7th, 2016. The contractor shall submit evidence to the board by

July 14th, 2016 of the final inspection and shall submit a copy of his load calculation. After complaint to the Board, the licensee performed a Manual J load calculation, properly permitted and received an approved final inspection. In addition, licensee submitted required form to list his license in the name of his firm. 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.

**Pitstick, John
Precision Plumbing
Murphy, NC**

License# 24596, P-I

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee failed to respond to the consumer in a timely manner, failed to ensure that his name and license number was listed on the permit obtained by the homeowner for the installation of the plumbing supply, drain, waste and vent lines in violation of GS 87-21, section NCAC 50.0402, failed to ensure properly plumbing installation under the slab which resulted in the slab having to be removed so the pipe could be relocated, failed to complete the plumbing installation per the contract, and abandoned the job in violation of GS 87-21, NCAC 50.0406.

John Pitstick signed a Proposed Resolution Agreement on 06/28/2016.

The license of John Pitstick, number 24596 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve months. Among other requirements during the probation, licensee shall assure that all obligations are met per the contractual agreement, respond to all requests for warranty work within a reasonable time frame, and 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.

**Quidley, Michael L. Jr.
Service Plus HVAC
Washington, NC**

License# 30615, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that at multiple job locations the licensee contracted and performed work outside licensing qualifications by contracting H-2 and H-3-I

jobs while only holding a H-3-II, 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 06/29/2016.

The license of Michael Quidley, number 30615 H-3-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months. Among other requirements during the probation, license 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 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. 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.

Satterwhite, Larry M.

RK & B Plumbing, Inc.

Henderson, NC

License# 27447, P-I

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

Larry M. Satterwhite signed a Proposed Resolution Agreement on 04/06/2016.

The license of Larry Satterwhite, number 27447 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, 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.

Stefanski, Mathew

Water Worx Services Inc.

Wendell, NC

License# 32211, 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, entered into an illegal joint venture agreement, and engaged in business under a different name or style of business than appears on his/her license.

Resolution Conference held 06/29/2016. The license of Mathew Stefanski, number 32211 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, licensee shall enroll in, attend and complete the Special Board Laws & Rules course. Assure that his license has been listed with the Board in the name that he currently operates his business. Licensee agreed to do this within the next twenty (20) business days from today. After complaint to the Board, the licensee updated his license information to Water Worx Services Inc. 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.

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 violated the minimum standard of the North Carolina State Fuel Gas Code, created risk of personal injury or property damage, and violated probation order.

Resolution Conference held 07/05/2016.

The license of James Sellers, number 24207 H-3-I, and the license of the firm be suspended for a period of three (3) months. The license will be restored at the end of the suspension, provided that the licensee completes the 09/02/2016 session A of the Mechanical Code course, and the Special Board Laws & Rules course. Upon successful completion of the suspension, his license, number 24207 H-3-I and that of the firm shall be placed on supervised probation for a period of twelve (12) months. 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 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.

Shawky, Shawky B.

Winterville, NC

License# 29690, 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 com-

pletion of work, failed to obtain final inspections, failed to provide adequate supervision, failed to maintain a copy of the job load calculation(s), and violated the minimum standard of the North Carolina State Mechanical Code. Resolution Conference held 06/29/2016. The license of Shawky Shawky, number 29690 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other requirements during the probation, within sixty (60) days of the approval of this order the contractor shall return to the home located at 1828 Meadowland Dr., obtain a permit from the local inspection department, assure that the installation meets all of the requirements of the code and obtain a final inspection within sixty (60) days of approval of this order. The contractor shall submit evidence to the board within ten (10) days of the final inspection and shall submit a copy of his load calculation. Within sixty (60) days of approval of this order the contractor shall demonstrate to the board that he also has resolved any moisture issue and /or damage attributed from the water leak at the air handler. The licensee shall enroll in, attend and complete the series of Special Mechanical Code courses, and 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 four (4) 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.

**Sigismondi, Philip B.
Sanford, NC**

License# 32092, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee submitted a false application to the board in obtaining the H-3-I license.

Resolution Conference held 06/29/2016.

Licensee, Phillip Sigismondi, agreed to surrender license number 32092 H-3-I, be surrendered to the Board.

**Smith, Timothy M.
Lakeside Heating & Air Condition
Denver, NC**

License# 10573, 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 provide adequate supervision, failed to perform a proper duct design, and violated the minimum standard of the North Carolina State Mechanical Code. Resolution Conference held 07/06/2016.

The license of Timothy Smith, number 10573 H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other require-

ments during the probation, the licensee shall enroll in, attend and complete the series of Special Mechanical Design course and 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.

**Spangler, Rick S.
Spangler Professional Plumbing, LLC
Garner, NC**

License# 30091, P-I

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee performed significant installation design contrary to the approved engineered designed plans, failed to hold a sign contract before starting the job listed in the above complaint, failed to execute a signed change of contract, failed to perform installation in compliance blue print specified materials, and failed to provide adequate supervision.

Resolution Conference held 06/30/2016.

The license of Rick Spangler, number 30091 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, 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.

**Stephens, Alan G.
Eco-Green Air, Inc
Raleigh, NC**

License# 25274, H-I,2&3-I

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

Alan Stephens signed Proposed Resolution Agreement on 07/21/2016.

The license of Alan Stephens, 25274, H-I,2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve months. Among other requirements during the probation, 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 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.

**Tinnes, Gary W.
Carolina Mechanical & Welding LLC
Winston Salem, NC**

License# 21286, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee allowed a previous unlicensed employee, Derien Gee, to use his license number to obtain a permit for an HVAC installation job contracted by Mr. Gee.

Gary Tinnes signed Proposed Resolution Agreement on 07/07/2016.

The license of Gary Stephens, 21286 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve months. Among other requirements during the probation, the licensee shall enroll in, attend and complete the Special Board Laws & Rules course, 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 15 days, requests for inspections must be made by the licensee and not by the owners(s) of the company, and only purchase permits on jobs where the licensee holds the contract with a licensed general contractor or the owner, where the licensee receives all of the contractual payment from the licensed general contractor or the owner, where a licensee of the firm or a properly licensed and qualified technician of the firm supervises the work and where the installation is performed by the licensee of the firm or bona-fide employees of the licensee of the firm. 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.

**Truszkowski, Alan A.
d/b/a Quick To Start, LLC
Gastonia, NC**

License# 30691, H-I-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee contracted and performed work outside current licensing qualifications, 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 07/06/2016.

The license of Alan Truszkowski, number 30691 H-I-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, the licen-

see 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.

Wurster, Brant
Interior Weather
Heating & Air Company
Hillsborough, NC
License# 28396, H-3-I

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

and system design, and failed to size equipment properly.

Resolution Conference held 06/28/2016.

The license of Brant Wurster, number 28396 H-3-I, and that of the firm shall be placed on supervised probation for a period of eighteen (18) months. Among other requirements during the probation, within ninety (90) days of today (June 28, 2016) the contractor shall return to the home located at 1107 Vickers Ave. and perform a thorough Manual J load calculation. If the load calculation reveals that the equipment is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the undersized or oversized equipment with properly sized air handler(s) and condensing unit(s) and obtain a final inspection within ninety (90) days of today. The contractor shall submit evidence to the board within ten (10) days of the final inspection and shall submit a copy of his load calculation. If the equipment installed is determined to be

properly sized, then within ninety (90) of today the contractor shall assure that the installed equipment is properly operating and properly providing conditioned air to the structure. Within ninety (90) days of today (June 28, 2016) the contractor shall return to the home located at 1107 Vickers Ave. and perform flow hood testing to verify that the correct CFM's are being achieved and properly delivered to each individual register for the systems he installed in this home (balancing the system). Licensee shall enroll in, attend and complete the series of Special Mechanical Design course and 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 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.

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

Bratt, Sebastian Supply, NC

Allegations of heating contracting without a license. Judgment of permanent injunction filed 6/28/16 enjoining respondent from engaging in heating contracting until licensed to do so.

Crawford, Calvin d/b/a Crawford Heating & Cooling

Incompetence and misconduct including failure to obtain permits, installations with code violations, allowing use of license by non-employee 1099 personnel, failure to carry out load calculations. Order issued March 22, 2016 suspending license for two years, to be followed by 2 years of supervised probation. Suspension/probation conditions include classes on the Fuel Gas Code, Mechanical Code, Mechanical Design, Board Laws & Rules and Contractor Business Management.

Crocker, Randolph, Jr. Suffolk, VA

Allegations of heating contracting without a valid license. Judgment of permanent injunction filed 6/2/16 enjoining defendant from engaging in business as a heating contractor until licensed to do so.

Desmet, Wayne d/b/a Master-Temp, LLC

Allegations of heating contracting without a valid license. Judgment of permanent injunction filed 7/15/16 enjoining defendant from engaging in heating contracting until licensed to do so.

Duboise, William Douglas Wilmington, NC

Allegations of heating contracting without a valid license. Judgment of permanent injunction filed 6/28/16 enjoining defendant from engaging in business as a heating contractor until licensed to do so.

Ghoens, Sean Charlotte, NC

Allegations of heating contracting without a valid license. Judgment of permanent injunction filed 7/27/16 defendant from engaging in heating contracting until licensed to do so.

Grantham, Carl Brook Greenville, NC

Allegations of heating contracting without a license. Judgment of permanent injunction filed 8/27/16 enjoining defendant from engaging in heating contracting until licensed to do so.

Green, Sharon d/b/a JSB Enterprises, Inc Mills River, NC

Allegations of Plumbing contracting without a license. Judgment of permanent injunction filed 8/27/16 enjoining defendant from engaging in plumbing contracting until licensed to do so.

Johnson, Clint Roger Moravian Falls, NC

Allegations of heating contracting without a valid license. Judgment of permanent injunction filed 7/12/16 enjoining defendant from heating contracting until licensed to do so.

Labelle, Larry Greenville, SC

Allegations of plumbing contracting without a license. Judgment of permanent injunction filed 7/27/16 enjoining defendant from plumbing contracting until licensed to do so.

Lambeth, Charles Wayne, II d/b/a Wayne Lambeth Home Improvements Asheboro, NC

Allegations of plumbing contracting without a valid license. Judgment of permanent injunction filed 7/15/16 enjoining defendant from engaging in plumbing contracting until licensed to do so.

Lugo, Aner d/b/a Lugo Construction Atlantic Beach, NC

Allegations of plumbing contracting without a license. Judgment of permanent injunction filed 7/15/16 enjoining defendant from engaging in plumbing contracting until licensed to do so.

Malone, Brian Kelly, Sr. Carolinas Complete Home Service, Inc. Charlotte, NC

Allegations of plumbing contracting without a valid license. Judgment of permanent injunction filed 7/21/16 enjoining defendant from engaging in plumbing contracting until licensed to do so.

McClamrock, Ronnie Kannapolis, NC

Allegations of heating contracting in violation of 12/30/14 permanent injunction. Defendant found in contempt by Order dated 7/25/16 and sentenced to 4 days of active jail time, 26 suspended days and \$500 fine.

Meadows, Rodriguez Charlotte, NC

Allegations of heating contracting without a valid license. Judgment of permanent injunction filed 6/20/16 enjoining defendant from engaging in heating contracting until licensed to do so.

McLeod, Steven John Cary, NC

Allegations of heating contracting without a valid license. Judgment of permanent injunction filed 6/22/16 enjoining defendant from engaging in heating contracting until licensed to do so.

Rosenberg, Charles Charlotte, NC

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 7/12/16 enjoining defendant from plumbing contracting until licensed to do so.

Stewart, Michael S&S Building & Development, LLC Greensboro, NC

Allegations of heating contracting without a license. Judgment of permanent injunction filed 6/20/16 enjoining defendant from engaging in heating contracting until licensed to do so.

Strouth, Shawn Graham, NC

Allegations of heating contracting without a valid license. Judgment of permanent injunction filed 6/17/16 enjoining defendant from engaging in heating contracting until licensed to do so.

Wright, Daniel W. Danco Builders Charlotte, NC

Allegations of plumbing contracting without a license. Judgment of permanent injunction filed 6/16/16 enjoining defendant from engaging in plumbing contracting until licensed to do so.

