



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

March 2017

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

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New Licenses Now Available

In June, 2016, the General Assembly passed a modification to General Statute 87-21, which required the Board to create a new license category for State and Local Government Technicians. The Board went through the rule-making process, and the North Carolina Rules Review Commission approved the new rules in January, 2017. The rules are now effective.

The rules create the following four license classifications:

- State & Local Government Plumbing Technician
- State & Local Government Heating Group 1 Technician
- State & Local Government Heating Group 2 Technician
- State & Local Government Heating Group 3 Technician

The licenses are available (and required) for individuals who perform tasks requiring a license at any of the following locations:

- City or county maintenance personnel (offices, schools, jails, libraries, etc.)
- Community college campuses, satellite campuses or other locations owned by the college
- Colleges, universities, satellite locations in the University of North Carolina system
- State-owned property (offices, detention facilities, rest areas, etc.)

While the licenses are new, the requirement for licensure is not. Any individual who is employed by a state and local government and engages in activity which requires a license pursuant to G.S. 87-32 is required to hold a license which is listed in the name of the employer. In the past, if a licensed contractor was in this position, placing the license in the name of the state or local government would prevent them from contracting any other work, as a license may only be listed and used by a single entity. Not placing the license in the name of the entity is a violation of the law. Dozens of licensees faced a moral, ethical and economic dilemma.

The Board is well aware that there are many maintenance staff employees all across the state who are performing tasks during the course of the workday in violation of these long-standing licensing requirements. The new license classifications provide an opportunity for these entities and their employees to bring themselves into compliance with the law.

An individual who currently holds a Class I plumbing and/or heating contractor license may apply for the SLGT license in their respective category, without the need for providing evidence of experience, education, or passing the technical exam. This allows the individual to place their contractor license in a name other than that of the state or local government agency.

An employee of a state or local government agency who does not currently hold a license as described above may apply if he/she has 3,000 hours (18 months) of experience in the installation, maintenance, service or repair in the category (plumbing or heating) for which licensure is being sought.

The new rules are printed on Page 7 of this newsletter. Additional information, including links to the application, may be found on the Exam Information page of the Board's website at <http://nclicensing.org/examInfo.asp>.

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Plastic Sewer Piping Tracer Wire Required Beginning March 1st

At the December 13, 2016 meeting of the North Carolina Building Code Council, a new requirement requiring tracer wire on plastic sewer piping was adopted and became effective March 1, 2017. The primary reasoning for the addition was the concern over the increasing number of utility contractors drilling/boring for gas and telephone/internet cabling.

If a contractor were to drill through a sewer line and install a gas line, it would eventually result in a clogged sewer. The sewer cleaning service or plumber could then damage the gas line in the process of clearing the obstruction. This would result in pressurized gas having a direct route into the structure, and could result in an explosion or fire which could injure or kill the service technician or building occupants, as well as causing considerable property damage.

2012 NC Plumbing Code:

306.2.4 Tracer wire. For plastic sewer piping, an insulated copper tracer wire or other approved conductor shall be installed adjacent to and over the full length of the piping. Access shall be provided to the tracer wire or the tracer wire shall terminate at the cleanout between the building drain and building sewer. The tracer wire size shall be not less than 14 AWG and the insulation type shall be listed for direct burial.

Any questions regarding this or any other aspect of the plumbing code should be directed to Bill Moehler, Chief Code Consultant with the North Carolina Department of Insurance. Contact information is listed in the directory section of this newsletter.

Have You Renewed Your License for 2017?

All licenses issued by the Board expire on December 31st of each year. Individuals or firms with expired licenses cannot legally engage in any contracting activities, including quoting/bidding, contracting, or performing work which requires a license.

The Board's laws and rules allow a license to be renewed during a three (3) year period following expiration, which means that licenses that expired in 2014, 2015 or 2016 can be renewed in 2017 by simply paying the back fees and late renewal fee. Once the three (3) year period expires, the license is considered "Retired" and cannot be renewed. An individual with a license in this status who wishes to reinstate the license to active status must take the required examinations.

As of mid-March, 2017, our records indicate the following:

There are 12,372 active licensees for 2017.

There are 620 licenses that expired in 2016 and have not yet been renewed for 2017.

There are 502 licenses that expired in 2015 and have not yet been renewed for 2016 & 2017.

There are 352 licenses that expired in 2014 and have not yet been renewed for 2015, 2016 & 2017.

All licenses that expired in 2013 or before are now "Retired" and cannot be renewed.

Licensees who expired in 2016 can renew using our online renewal tool at this link: <https://onlineweb.nclicensing.org/Login.aspx>, and licensees who expired in 2014, 2015 or 2016 may download a paper renewal form at this link: <http://nclicensing.org/forms.asp>

A Letter From A Licensee



4537 Hillsborough Road Durham, NC 27705 CarolinaAC.com

February 16, 2017

Re: State Board Experience

I recently had the experience of attending the Board's Laws and Rules Class, which was presented by the Board's Executive Director, Dale Dawson. The class is presented quarterly by the Board at no cost to the participants.

At the beginning of the class, I personally felt angered at the reasons I was there. Like myself, most of the individuals attending the class did not volunteer to attend; but were strongly encouraged to do so in order to gain a better understanding of the laws and rules that exist to protect not only the consumer, but us as contractors as well.

The class began with the history of the State Board. Having been in the industry for 25 years, learning that the majority of Board members are also contractors like myself eased some of the apprehension I felt coming in. Mr. Dawson presented the legal and technical language in layman's terms that made it easier to understand.

We gained an understanding and appreciation for why the laws and rules were written. He also reminded us to be cognizant of the importance of insuring that contractors are qualified in the area of work to be performed. This works hand in hand with having qualified contractors taking the exams. Most qualified contractors have gained extensive knowledge through work experience and continuing education.

At the conclusion of class, I felt more confident in my understanding of the process. The reality was clear that we were in the class not because our intent was malicious, but because we did not truly understand the laws and rules. At that point, my anger subsided and I appreciated the fact that the State Board is in place not to hurt contractors like me, but to aid us in doing what is right for ourselves and the consumer. For that I am grateful!

I would encourage any contractor in our industry to take advantage of the Board's Laws and Rules class if given the opportunity, and to go in with an open mind knowing that the State Board is willing to help.

Sincerely,

Troy A. Worrell
President

“Red-Tagging” Equipment and Appliances

In recent months, the Board was contacted by a consumer with questions regarding a possible carbon monoxide issue due to a damaged heat exchanger in the furnace. The homeowner was told by an HVAC technician that the cracked heat exchanger in their gas furnace was allowing carbon monoxide to escape into the home. The technician turned off the gas to the unit. The homeowner then called a different firm for a 'second opinion'. After determining that there was not a problem with the heat exchanger nor was there a carbon monoxide leak, the technician from the second firm turned the system back on.

The two basic questions that came out of the situation were these:

Can a service technician turn off a gas furnace if they determine that there is a carbon monoxide leak due to a damaged heat exchanger or other component?

If another service technician finds no problem, can that technician turn the unit back on?

There is nothing currently in the NC Statutes, the Board's rules, or the State Building Code that requires the technician to turn off the gas or otherwise disable the equipment or appliance from operating.

There is also nothing in the statutes, rules or code that prevents the technician from turning off the gas or disabling the equipment or appliance. In a nutshell, nothing says they can and nothing says they can't.

Each situation is different. It is the opinion of the Board that if a technician discovers and documents an issue of carbon monoxide in a residence that they, as a responsible professional, should turn off the gas or disable the equipment or appliance for the safety and protection of the homeowner. Consumers who hire contractors expect to get the knowledge, experience and skill of an industry professional with an acceptable level of expertise. They are, in fact, entrusting the safety and welfare of their family to the contractor.

Ultimately it is a decision that has to be made by each individual technician, based on observations, testing and company policies. Carbon monoxide is an odorless and tasteless gas that can be deadly, and legal action may be taken against the technician and their firm for failing to take actions that may prevent the injury or death of the building's occupants.

In the event that the Board were to receive a complaint against a licensee for cutting off the gas or disabling the equipment or appliance, the Board is required by Statute to investigate the complaint; however, there is a strong probability that in many instances the case may be closed for no cause, as such actions are not a violation of any of the statutes, rules or code.

If a contractor has carbon monoxide detection/monitoring equipment, it should be calibrated per the manufacturer's instructions and used by a trained and competent technician. If a technician suspects a carbon monoxide leak and does not have access to testing equipment, the local fire department may be contacted to check the carbon monoxide levels present in the structure when the equipment or appliance is operating.

Although not required, it is a good idea for contractors and service technicians to talk with the homeowner and make sure that they know the importance of maintaining working carbon monoxide and smoke detectors in the home.

Carbon Monoxide: What You Need To Know

- Carbon Monoxide (commonly referred to as "CO") is an odorless and colorless gas.
- CO can result in serious medical injury, lifelong disability, or death.
- On average, over 100 deaths occur annually in the US as a result of CO produced by heating equipment.
- CO is produced by burning fuels such as wood, oil, natural gas, propane, kerosene, coal, charcoal and gasoline.
- Sources of CO include heating equipment and appliances, lawn equipment, generators, and vehicles.
- CO detectors should be installed in any building with fuel-burning appliances or equipment, or an attached garage.
- The maximum safe CO level in a building is only 8 parts per million (ppm) over an 8 hour period, or 24 ppm over a 1 hour period.
- CO poisons the body by preventing the circulatory system's ability to deliver oxygen to the body through the bloodstream.
- Symptoms include headaches, dizziness, nausea, weakness, loss of muscle control, shortness of breath, chest tightness, visual changes, sleepiness, fluttering of the heart, redness of the skin, confusion and mild behavioral effects such as slowed reaction time.
- If CO poisoning is suspected, the victim(s) should immediately be moved to fresh air and 911 should be called for medical assistance.

North Carolina State Agencies

NC Department of Insurance	919-647-0000 800-634-7854	NC Department of Labor	919-807-2796
• William "Bill" Moeller (Plumbing & Gas Interpretations)	919-647-0007	NC Department of Revenue	919-252-3052
• Dan Dittman (Mechanical & Energy Interpretations)	919-647-0012	NC Electrical Licensing Board	919-733-9042
• Dan Austin (Fire Code Interpretations)	919-647-0011	NC General Contractor Licensing Board	919-571-4183
• Monna Gillespie (Building Code Bookstore)	919-647-0001	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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Kerry Waldroup

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Extension 213 or erabon@nclicensing.org

Administrative Officer (Field Staff) Directory

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919-602-9095 or sbilsky@nclicensing.org

David Boulay

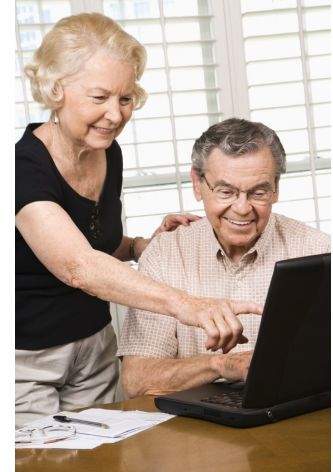
Western Region
828-234-2719 or dboulay@nclicensing.org

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

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 Form - 2017 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. Plumbing / Heating Technician - State & Local Government (by exam)
5. Plumbing / Heating Technician - State & Local Government (without exam)
6. Book Reference List for All Applicants
7. Request for Exam Review (for applicants who have failed a recent exam)

Military & Military Spouse Applicant Forms

1. Active Duty or Veteran: Plumbing, Heating, Fuel Piping and Fire Sprinkler Installation Contractor
2. Military Spouse: Plumbing, Heating, Fuel Piping and Fire Sprinkler Installation Contractor

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

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

- (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 and local government Heating Group No. 1 Technician;
 - (3) State and local government Heating Group No. 2 Technician; or
 - (4) State and local government Heating Group No. 3 Technician
- (b) Applicants for a license as a State & Local Government Plumbing or Heating Technician shall obtain a license based on experience set forth in Paragraph (c) of this Rule and shall pass the Class I technical and Board laws and rules part of the Board-administered examination described in Rule .0301 of this Section related to the category for which a technician license is sought. The 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 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.

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

- (a) A licensed State and local government technician licensee shall be required to list their license with the Board in the name of the State and local government agency by whom the licensee is employed,
- (a) The holder of license as a State and 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 and 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 shall not be 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 licensee has documentary 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 and local government technician licensee shall be 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 the degree of supervision 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 in accordance with applicable codes, rules and manufacturer installation instructions and industry practice. 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 licensee who holds the appropriate State and 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 .0505 of this Chapter, of all work falling within his or her 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 .0512 of this Chapter shall be applied.
- (h) An unlicensed person employed by a State and local government agency licensed and supervised pursuant to G.S. 87, Article 2 shall not be 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 and local government.
- (i) The annual license fee for a State and local government Technician license is one hundred thirty dollars (\$130.00), except as provided in Paragraph (j) of this Rule.
- (j) The annual license fee for a State & Local Government Technician Plumbing or Heating Technician license that 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)(2)c; 87-22; 87-22.1; 87-26; Eff. April 1, 2017.

21 NCAC 50 .0405 MULTIPLE LICENSES

- (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 that has a trade name, upon compliance with G.S. 87-26.

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. 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; Amended Eff. February 1, 2017.

21 NCAC 50 .0414 SUPERVISION IN ABSENCE OF INSPECTION

In lieu of the supervision required by Rule .0505 of this Chapter, 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 North Carolina State Building Codes which is hereby incorporated by reference including all subsequent editions and amendments, 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. The State Building Code may be accessed at OSFM/Engineering.

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

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

The Board charges the following fees:

(1)	copies of license	\$20.00
(2)	abstract of license record (per license)	\$25.00
(3)	processing fee for returned checks	maximum allowed by G.S. 25-3-506
(4)	copy of Board rules	\$10.00
(5)	processing fee for late renewal	\$25.00
(6)	Business and Project Management for Contractors	Publisher's Price as set forth at www.nclicensing.org

History Note: Authority G.S. 25-3-506; 87-18; 87-22; 150B-19; G.S. 132-6.2(b) Eff. September 1, 1994; Amended Eff. 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. 150B21.3A, rule is necessary without substantive public interest Eff. August 22, 2015. Amended Eff. April 2, 2017.

21 NCAC 50 .0106 LOCATION OF OFFICE

The mailing address of the State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors is 1109 Dresser Court, Raleigh, NC 27609. The office hours are set forth on the Board website, www.nclicensing.org.

History Note: Authority G.S. 87-16; 87-18; Eff. February 1, 1976; Readopted Eff. September 29, 1977; Amended Eff. January 1, 2003; August 1, 2002; June 11, 1998; November 1, 1993; April 1, 1991. Amended Eff. January 1, 2017.

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>
Beasley, R. Brent	Coats, NC	11/16/2016	McFalls, Justin L.	Charlotte, NC	12/21/2016
Davis, John M.	King, NC	11/9/2016	Poole, Robert K.	Garner, NC	12/1/2016
Flanary, Brady O'Neil	King, NC	12/15/2016	Ramsey II, George G.	Concord, NC	11/29/2016
Gentry, William L.	Greensboro, NC	12/15/2016	Russell, George L.	Winston Salem, NC	11/16/2016
Goodman, Joseph B.	Albemarle, NC	1/11/2017			

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>
Armstrong, Austin B.	Columbia, NC	2/6/2017	McMillion, Edward R.	Grimesland, NC	2/3/2017
Boddie, Anthony A.	Wendell, NC	1/26/2017	McPherson, Russell	Whittier, NC	2/17/2017
Brunair, Dennis M.	Columbia, NC	2/6/2017	Neal Sr, Tony R.	Greensboro, NC	1/25/2017
Carroll, Ken C.	Littleton, NC	1/23/2017	Penland-Harris, Sue	Fletcher, NC	1/19/2017
Hightower, Daniel	Waynesville, NC	1/5/2017	Saunders, Roger D.	Wilmington, NC	3/8/2017
Hinnant, Daniel	Snow Hill, NC	2/9/2017	Sessoms, Jason E.	Rocky Mount, NC	1/19/2017
Howard, Nathaniel	Chapel Hill, NC	1/17/2017	Silvan, Ricardo	Hookerton, NC	2/9/2017
Jones, Bradley T.	Hope Mills, NC	2/21/2017	Valerio, Jovanny L.	Raleigh, NC	3/9/2017
Lingerfelt, Shane	Ft. Mill, SC	1/25/2017	Wallace, Larry	Roxboro, NC	1/12/2017
Luft, Jerry	Jacksonville, NC	1/10/2017			

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.

Barbano, James R.
3rd Rock Plumbing, LLC
Hickory, NC
License# 28991 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, failed to provide supervision, violated the minimum standard of the North Carolina State Plumbing Code, violated the minimum standard of the North Carolina State Fuel Gas Code, and the installation was performed in a poor workman like manner / poor workmanship.

Resolution Conference held 12/20/2016.

The license of James Barbano, number 28991 P-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 complete the series of Special Plumbing Code and Design courses, and the series of Special Fuel Gas Code and Design courses. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of twelve (12) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Beaty, Randy W. Jr.
Piedmont Plumbers of NC, LLC
Easley, SC
License# 31216 P-I

Allegations of misconduct and incompetence in the business of plumbing contracting in that the licensee failed to provide supervision, violated the minimum standard of the North Carolina State Plumbing Code, staff falsified a test on a PVC-DWV drain line, and operated a branch office in Denver, NC where work was being dispatched for work that required a license without the branch holding a license.

Resolution Conference held 12/14/2016.

The license of Randy Beaty, number 31216 P-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 Plumbing Code and 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 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 listed above.

Bennett, Don L.
Summerfield, NC
License# 10531, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee, at the homeowner's request, violated NCGS 87-21 section .0402 by failing to properly permit the mechanical installation.

Don Bennett signed a Proposed Resolution Agreement on 01/12/2017.

Don Bennet, voluntarily agreed that his license, number 10531 H-3-I, and the license of the firm, shall be surrendered to the Board.

Brooks, Johnny R.
Johnny's Plumbing Repair Service, Inc
Burlington, NC
License# 10436, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee violated NCGS 87-21 section .0402 by failing to properly permit the change out of approximately five (5) standard water heaters.

Johnny Brooks signed a Proposed Resolution Agreement on 01/24/2017.

The license of Johnny Brooks, number 10436 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Licensee agreed to enroll in, attend and complete the Special Board Laws & Rules course.

Carroll, Richard D.
ARDC Heating & Cooling
Taylorsville, NC
License# 19208, H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee violated NCGS 87-21 section .0402 by failing to properly permit the mechanical installation of a 2 ½ ton Frigidaire heat pump which tied into the existing duct work in a home, failed to request final inspection within 10 days of substantial completion of the work, violated the State Mechanical Code, and failed to perform a load calculation in violation of NCGS 87-21 section .0505.

Richard Carroll signed a Proposed Resolution Agreement on 01/12/2017.

The license of Richard Carroll, number 19208 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 02/05/2017, ensure that his

license is properly listed with the board. After complaint to the board, the licensee listed his license in the name of the firm, ARDC Heating & Cooling. By 02/05/17 the contractor shall return to the home located at 93 Mountain Oak Lane 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 02/19/2017. Address all code violations and issues noted above by the building inspector; and, by 02/25/2017, the contractor shall submit evidence to the board of the final inspection and shall submit a copy of his load calculation. Licensee shall enroll in, attend and complete the Special Board Laws & Rules course and the series of Special Mechanical Code courses. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Cooke, James B.
Cary Plumbing Co.
Cary, NC
License# 10844, P-I

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

James B. Cooke signed a Proposed Resolution Agreement on 12/0/2016.

The license of James B. Cooke, number 10844 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 enroll in, attend and complete the Special Board Laws & Rules course.

In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Cunningham, Joseph
Newport, NC
License# 11436 PH-2&3-I

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

the licensee failed to provide adequate supervision, failed to perform load calculation (s), violated the minimum standard of the North Carolina State Mechanical Code, allowed the use of license by unlicensed persons, obtained a permit and allowed his license number to appear on a permit on a job where the licensee did not hold the contract with the homeowner or general contractor and did not receive the contractual payment for the job, licensed a firm where work was being performed while the licensee was actively employed elsewhere, and allowed the use of license by unlicensed persons where the firm issued 1099's to unlicensed persons. *Resolution Conference held 01/24/2017.*

The license of Joseph Cunningham, number 11436 PH-2&3-I, and the license of the firm is suspended for a period of twelve (12) months. Among other requirements during the suspension, licensee agreed to enroll in, attend and complete the Special Board Laws & Rules course. Upon successful completion of the suspension, license, number 11436 PH-2&3-I, and that of the firm shall be placed on supervised probation for a period of twelve (12) months. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of twelve (12) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Dew, Kelvin W.
Dewpoint Heating & Air
Emerald Isle, NC
License# 33201 H-3-II

Allegations of misconduct in the business of heating contracting in that the licensee failed to withhold taxes and paid unlicensed individuals using a 1099 Form in violation of the Board rule 21 NCAC 50.0512.

Kelvin Dew signed a Proposed Resolution Agreement on 12/21/2016.

The license of Kelvin Dew, number 33201 H-3-II, 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, licensee shall enroll in, attend and complete the Special Board Laws & Rules course, 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 subcontract work that requires a license only to properly licensed subcontractors. 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.

Drummond, Derek C.
Parkton, NC
License# 15247, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee, during the time that he was the qualifier for the firm, failed to ensure that the firm would withhold taxes and not pay unlicensed individual(s) using a 1099 Form in violation of the Board rule 21 NCAC 50.0512.

Derek Drummond signed a Proposed Resolution Agreement on 12/02/2016.

The license of Derek Drummond, number 15247 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 Special Board Laws & Rules course, assure that all employees who perform work under his license shall either hold an active H-3-I license or are bona fide employees where taxes are withheld, and submit to the Board's office within the next thirty (30) days copies of all employee W-4's and by the end of the probation submit a copy of all employee W-2's. In the event 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.

Duddleston, Mark D.
Charlotte, NC
License# 32415, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to obtain a permit prior to commencing work in violation of 21 NCAC 50 .0402, and failed to provide proper supervision for the change out of a shower valve and shower drain in violation of 21 NCAC 50 .0505., and violated the State Plumbing Code.

Mark Duddleston signed a Proposed Resolution Agreement on 12/01/2016.

The license of Mark Duddleston, number 32415 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, by 12/08/2016, the contractor shall obtain a permit from the local code enforcement official, return to this

structure and correct any and all code violations that still exist to include addressing any and all damages caused by the plumbing installation failure. The contractor shall contact the building owner in advance, arrange a time to perform this work and shall receive a final inspection by 12/15/2016. This work shall be performed at the expense of the contractor. After complaint to the Board, the licensee obtained an approved final inspection on 12/12/2016. Licensee shall enroll in, attend and complete the complete the series of Special Plumbing Code and 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 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.

Edwards, Wesley T.
Upgrade Plumbing
Mount Airy, NC
License# 21537 P-II

Allegations of misconduct in the business of plumbing contracting in that the license violated the previous probation approved by the Board on 02/10/2015.

Resolution Conference held 12/16/2016.

The license of Wesley Edwards, upon the activation of his license by the board, that the license, number 21537 P-II, and that of the firm shall be placed on supervised probation for a period of three (3) years. 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 listed above.

Fensterer, Eric A.
Rutherford Heating & Air, Inc
Spindale, NC
License# 16710 H-1, 2&3-I

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

Resolution Conference held 12/14/2016.

The license of Eric Fensterer, number 16710 H-1, 2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other 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 listed above.

Furr, Ralph C.
All Temp Company, Inc.
Harrisburg, NC

License# 09176 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 adequate supervision, and violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 12/20/2016.

The license of Ralph Furr, number 9176 H-1, 2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, 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 listed above.

Gerringer, John
Mebane, NC
License# 16400, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee signed the Board exam application form 1-B verifying the plumbing experience of his business partner, Mr. Joseph Blackard who was not a W-2 or W-4 employee of the firm, ERR Plumbing, in violation of 21 NCAC 50 .0512.

John Gerringer signed a Proposed Resolution Agreement on 12/09/2016.

The license of John Gerringer, number 16400 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, licensee shall enroll in, attend and complete the Special Board Laws & Rules course, and submit to the Board's office within the next thirty (30)

days copies of all employees W-4's and by the end of the probation submit a copy of all employees W-2's. 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.

Gibson, Benjamin S., Jr.
Gibson Plumbing & Repair
Jacksonville, NC

License# 07750, P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee accepted a subcontract from an unlicensed individual, Jerry Luft of Jerry's Home Remodeling, to perform plumbing work, which included removing tubs, vanities, and water closets from two bathrooms and installing new ones, removing existing shower valves and installing new ones in both bathrooms, installing new piping from wall to the sink and installing a new sink in the kitchen, and replacing the spigot on exterior of the home, in violation of 21 NCAC 50.0402.

Benjamin Gibson signed a Proposed Resolution Agreement on 1/12/2017.

The license of Benjamin Gibson, number 7750 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, 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 listed above.

Hills, Gary
Gary's Waterworks, Inc.
Arden, NC
License# 11282, P-II

Allegations of misconduct in the business of

plumbing contracting in that the licensee signed for and verified the plumbing experience for the application of Adam Maner, who was not a bona-fide employee of Gary's Waterworks, Inc., and Maner was paid in cash and or with a form 1099 for 2014 and 2015 in violation of 21 NCAC 50 .0512.

Gary Hills signed a Proposed Resolution Agreement on 12/07/2016.

The license of Gary Hills, number 11282, P-II, 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 all employees who perform work under his license shall either hold an active plumbing license or are bona fide employees where taxes are withheld, and submit to the Board's office within the next thirty (30) days copies of all employee W-4's and by the end of the probation submit a copy of all employee W-2's. After complaint to the board, the licensee submitted copies of W4 information for his employees. 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.

Jensen, Jeremy
Platinum Plumbing & Fire Sprinklers, LLC
Kitty Hawk, NC

License# 28863, P-I & RFSC

Allegations of misconduct in the business of plumbing contracting in that the licensee paid an unlicensed individual in the form of a 1099 in violation of 21 NCAC 50 .0512.

Jeremy Jensen signed a Proposed Resolution Agreement on 12/06/2016.

The license of Jeremy Jensen, number 28863 P-I & RFSC, 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, licensee shall enroll in, attend and complete the Special Board Laws & Rules course, assure that all employees who perform work under his license shall either hold an active plumbing license or are bona fide employees where taxes are withheld, and submit to the Board's office within the next thirty (30) days copies of all employee W-4's and by the end of the probation submit a copy of all employee W-2's. After complaint to the board, the licensee submitted copies of W4 information for his employees. In the event of violation of

any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

Jones, Jeffrey T.

**J.T. Jones Gas Appliances Incorporated
Powells Point, NC
License# 22404 FP**

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

Resolution Conference held 01/24/2017.

The license of Jeffrey Jones, number 22404 FP, 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 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 listed above.

Lee, Chun U.

**Lee's Air & Refrigeration
Greensboro, NC**

License# 22368 H-3-I

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

Resolution Conference held 12/15/2016.

The license of Chun Lee, number 22368 H-3-I, and that of the firm shall be placed on supervised 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 six (6)

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

Lowe, Phillip

**Air Crafters Heating & Cooling, LLC
Huntersville, NC**

License# 30162, H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee engaged in business under a different name or style of business than appears on his license by operating as Air Crafters Heating and Air in violation of 21 NCAC 50 .0407, while his license was in his individual name, and licensee signed for and verified the experience of Richard Cook, who was not a bona-fide employee and paid him in cash and or with a form 1099 for 2012 & 2014, in violation of in violation of 21 NCAC 50 .0512

Phillip Lowe signed a Proposed Resolution Agreement on 12/08/2016.

The license of Phillip Lowe, number 30162, H-3-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, licensee shall enroll in, attend and complete the Special Board Laws & Rules course, properly list his license with the board, and submit to the Board's office within the next thirty (30) days copies of all employees W-4's and by the end of the probation submit a copy of all employees W-2's. 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.

Mays, Jeffrey R.

**Dynamic Mechanical Service, LLC
Snow Camp, NC**

License# 28667 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, violated the minimum standard of the North Carolina State Mechanical Code, and created a situation that could cause risk of personal injury or property damage.

Resolution Conference held 12/15/2016.

The license of Jeffrey Ryan Mays, number 28667 H-1, 2&3-I, and that of the firm shall be placed on supervised probation for a peri-

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

McFarlin, Jeffrey R.

**Johnny On The Spot LLC
Maiden, NC**

License# 33283 H-3-II

Allegations of misconduct in the business of heating contracting in that the licensee paid an unlicensed individual with cash and or a form 1099 in violation of in violation of 21 NCAC 50 .0512.

Jeffrey McFarlin signed a Proposed Resolution Agreement on 01/10/2017.

The license of Jeffrey McFarlin, number 33283 H-3-II, 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, licensee shall enroll in, attend and complete the Special Board Laws & Rules course, 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 subcontract work that requires a license only to properly licensed subcontractors. 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.

Moore, Mack R.

**M & M Heating and Cooling
Asheville, NC**

License# 24185 H-3-II

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, violated the minimum standard of the North Carolina State Mechanical Code, failed to perform proper load calculation(s), and contracted and performed work outside his current licensing qualifications.

Resolution Conference held 12/14/2016.

The license of Mack Moore, number 24185 H-3-II, 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 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 listed above.

Smith, Wilbur R., III
d/b/a Air Secure Co
Cary, NC

License# 12938 H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to obtain a permit prior to commencing work in violation of NCGS 87-21 section .0402.

Wilbur Smith signed a Proposed Resolution Agreement on 02/09/2017.

The license of Wilbur Smith, number 12938 H-3-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, 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 listed above.

Stewart, Leroy A.
TLC Heat & Air, Inc.
East Bend, NC

License# 24416 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, contracted / performed work that requires a license while the license was under a suspension for violation of a previous order, and failed to perform load calculation (s).

Resolution Conference held 12/15/2016.

The license of Leroy Stewart, number 24416 H-3-I, and the license of the firm is suspended for a period of twelve (12) months. By

02/15/2017, the contractor shall return to the home located at 4528 9th St., perform a whole house block Manual J load calculation, and address the code violations and issues noted. 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 gas 90% plus furnace and obtain a final inspection by 02/25/2017. The contractor shall submit evidence to the board by 02/27/2017 of the final inspection and shall submit a copy of his load calculation to the board. Within thirty (30) days of institution of this agreement the licensee agrees to submit to the board a copy of the licensee's copy of the previous Proposed Resolution Agreement. Comply with the Special Mechanical Code Course educational requirement in the previous order. 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 suspension, license of the individual and of the firm shall be revoked.

Tutor, Charles W.
Mechanical Services of Raleigh, Inc.
Fuquay-Varina, NC

License# 4484 H-1, 2&3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain a permit prior to commencing work, failed to perform a load calculation for the installation of a two (2) ton heat pump and air handler in violation of 21 NCAC 50 .0505.

Charles Tutor signed a Proposed Resolution Agreement on 12/05/2016.

The license of Charles Tutor, number 4484 H-1, 2&3-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, licensee shall enroll in, attend and complete the Special Board Laws & Rules course, 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 subcontract work that requires a license only to properly licensed subcontractors. 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.

Walker, Charles C. Jr.

Wilmington, NC
License# 05965 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, failed to provide supervision, violated the minimum standard of the North Carolina State Plumbing Code, allowed the use of license by unlicensed persons by issuing 1099's to unlicensed persons, obtained a permit and allowed his license number to appear on a permit on a job where the licensee did not hold the contract with the homeowner or general contractor and did not receive the contractual payment for the job.
Resolution Conference held 01/24/2017.

The license of Charles Walker, number 5965 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 (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.

Whisnant, Walter
Whisnant Services
Gastonia, NC

License# 16934 H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to request final inspections, performed work classified as Heating Group 2 while only holding a Heating Group 3 Class I, failed to perform load calculation (s), and violated the prior probation approved by the Board.

Resolution Conference held 12/20/2016.

The license of Walter Whisnant, number 16934 H-3-I, and the license of the firm be suspended for a period of three (3) months. Upon successful completion of the suspension, the license of Walter Whisnant, number 16934 H-3-I, and that of the firm shall be placed on supervised probation for a period of eighteen (18) 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 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.

White, Joseph C.
Clay's Basic Plumbing, Inc.
Charlotte, NC
License# 23998 P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee failed honor a job contract to perform all of the plumbing work needed for a house renovation, licensee took full payment, but only completed 50% of the work.

Joseph White signed a Proposed Resolution Agreement on 01/11/2017.

The license of Joseph White, number 23998 P-I, and that of the firm shall be placed on a supervised probation for a period of twenty-four (24) months. Among other requirements during the probation, by 07/11/2017, refund to Crystal Massey \$800.00 for work contracted, paid for and not performed, assure that his license has been listed with the Board, by 2/11/2017, in the name that he currently operates his business, 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 listed above.

Wilkinson, Kevin R.
Tin Shop
Sanford, NC
License# 22513 H-3-II

Allegations of misconduct in the business of heating contracting in that the licensee failed to obtain a permit prior to commencing work in violation of NCGS 87-21 section .0402, and failed to perform a load calculation for the installation of a new Goodman gas two (2) ton split system with associated duct work.

Kevin Wilkinson signed a Proposed Resolution Agreement on 01/18/2017.

The license of Kevin Wilkinson, number 22513 H-3-II, 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, licensee shall enroll in, attend and complete the Special Board Laws & Rules course.

Williams, Jamal A.

Crown Comfort L.L.C.
Durham, NC
License# 28848 H-2&3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to withhold taxes and paid an unlicensed individual using a 1099 Form in violation of the Board rule 21 NCAC 50.0512.

Jamal Williams signed a Proposed Resolution Agreement on 01/31/2017.

The license of Jamal Williams, number 28848 H-2&3-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, licensee shall enroll in, attend and complete the Special Board Laws & Rules course. Within the next thirty (30) days, submit to the Board's office copies of all employees W-4's and by the end of the probation submit a copy of all employees W-2's. In the event of violation of any of 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 the licensee and the firm agrees to comply with all of the probation provisions listed above.

Wilson, Kenneth D.
Ken Wilson Plumbing
Valdese, NC
License# 32640 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, engaged in business under a different name or style of business than appears on his license, created risk of personal injury or property damage by exposing occupants to carbon monoxide, and licensee aided and abetted an unlicensed person (Charles Austen) in the installation of a gas water heater.

Resolution Conference held 12/20/2016.

The license of Kenneth Wilson, number 32640 P-I, and the license of the firm is suspended for a period of sixty (60) days. Upon successful completion of the suspension, the license of Kenneth Wilson, number 32640 P-I, 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 series of Special Fuel Gas Code and 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 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.

Young, Ernest L.
After Hours Plumbing, Inc.
Rockwell, NC
License# 22494 P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee paid an individual, who was not a bona-fide employee, in cash and or with a form 1099 in violation of in violation of 21 NCAC 50 .0512 for the tax year 2012.

Ernest Young signed a Proposed Resolution Agreement on 12/08/2016.

The license of Ernest Young, number 22494, 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, licensee shall enroll in, attend and complete the Special Board Laws & Rules course, and submit to the Board's office within the next thirty (30) days copies of all employees W-4's and by the end of the probation submit a copy of all employees W-2's. 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.

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.

Best, Greg Clayton, NC

Allegations of plumbing contracting without a valid license. Complaint for injunctive relief filed 12/8/16. Judgment of Permanent Injunction filed 1/26/17 enjoining respondent from engaging in business as plumbing or heating contractor until properly licensed to do so.

Cook, Bradley N. Drain Pros

Jacksonville, NC
Allegations of plumbing contracting without a license. Judgment of Permanent Injunction filed 1/24/17 enjoining respondent from engaging in business as plumbing or heating contractor until properly licensed to do so.

Gee, Derien Diamond HVAC Kernersville, NC

Allegations of heating contracting without a license in violation of 3/24/16 injunction. Order of Contempt filed January 9, 2017 finding the defendant in contempt of court for violating the terms of a March 23, 2016 Judgment of Permanent Injunction and sentencing the Defendant to a 30 day suspended jail sentence.

Holmes, Joseph Indian Trails, NC

Allegations of plumbing contracting without a license. Complaint for injunctive relief filed 8/31/16. Judgment of Permanent Injunction filed 12/28/16 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

King, Terrell Wilson, NC

Allegations of heating contracting without a license. Judgment of Permanent Injunction filed 1/13/17 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Lewis, Billy Rockingham, NC

Allegations of heating contracting without a license. Judgment of Permanent Injunction filed 12/9/16 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Moser, Carlton M. d/b/a Moser HVAC

Winston-Salem, NC
Allegations of heating contracting without a license. Judgment of Permanent Injunction filed 1/24/17 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Muhonen, John Mark and Eager Fire Protection

Allegations of selling license and improper supervision of employees. Formal hearing held 1/12/16. Order issued suspending Muhonen license for six months on grounds of extensive use of non-employees followed by a 12 month probation; License of Eager Fire Protection suspended for two years due to use of non-employees through three separate licensees.

Quarles, Kevin Fayetteville, NC

Allegations of plumbing contracting without a license. Judgment of Permanent Injunction filed 12/9/16 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Quarles, Leroy Carrington Quarles & Associates

**Residential Repair
Fayetteville, NC**
Allegations of plumbing contracting without a license. Judgment of Permanent Injunction filed 12/9/16 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Thomas, Frank Sanford, NC

Allegations of heating contracting without a license. Judgment of Permanent Injunction filed 1/26/17 enjoining respondent from engaging in business as plumbing or heating contractor until properly licensed to do so.

Thompson, Mike d/b/a Thompson Mechanical Stem, NC

Allegations of heating contracting without a license. Judgment of Permanent Injunction filed 1/13/17 enjoining respondent from engaging in business as plumbing or heating contractor until properly licensed to do so.

Yorks, Brian Keith Franklinton, NC

Allegations of heating contracting without a license. Complaint for injunctive relief filed 11/18/16. Judgment of Permanent Injunction filed 1/13/17 enjoining respondent from engaging in business as plumbing or heating contractor until properly licensed to do so.



State Board of Examiners of Plumbing,
Heating & Fire Sprinkler Contractors
1109 Dresser Ct., Raleigh, NC 27609
Phone: (919) 875-3612
Fax: (919) 875-3616

Address Change Form

Licensee's Full Name _____

License # _____ E-mail Address _____

Phone number () _____ Fax () _____

BUSINESS ADDRESS

Mailing

_____ Street or PO Box City NC Zip Code

Physical

_____ Street City NC Zip Code

HOME ADDRESS

Mailing

_____ Street or PO Box City NC Zip Code

Physical

_____ Street City NC Zip Code

Licensee's Signature _____ Date _____