



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

May 2017

## BOARD MEMBERS

### Jeffrey R. Dunn

Chairman  
Fire Sprinkler Contractor  
Dunn, NC

### William H. Sullivan III

Vice-Chairman  
Air Conditioning Contractor  
Greensboro, NC

### Robert J. Owens

Secretary/Treasurer  
Public Member  
Raleigh, NC

### Thomas G. Proffit

Plumbing Contractor  
Lenoir, NC

### William H. Eubanks

Plumbing Inspector  
Wilmington, NC

### John N. Royal

NCSU Engineer  
Raleigh, NC

### D. Hunter Edwards Jr.

Heating Contractor  
Charlotte, NC

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

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## Board's Full Licensing Authority Restored

On the last day of the 2016 Legislative Session (June 30, 2016) the General Assembly created a new State and Local Government Technician license. (see the March 2017 Newsletter for details at: <http://nclicensing.org/newsletter.asp>). Unfortunately, in that process, an important existing part of North Carolina General Statute 87-21 was inadvertently removed, resulting in the Board being unable to continue issuing certain licenses that had been on the books for a number of years.

Early in the 2017 Legislative Session (March 1, 2017) Senator Tommy Tucker introduced Senate Bill 156 with the intention of restoring the Board's authority to resume issuance of the affected licenses. After being ratified by the House and Senate on May 16, 2017, the bill was signed into law by Governor Cooper on May 23, 2017, and became effective on that date.

Following this corrective action, the Board is again now able to issue the 9 affected licenses, which included the following:

- Plumbing Technician
- Heating Technician (Groups 1, 2 & 3)
- Fuel Piping Technician
- Residential Fire Sprinkler Contractor
- Fire Sprinkler Inspection Contractor
- Fire Sprinkler Inspection Technician
- Fire Sprinkler Maintenance Technician

Information regarding the eligibility requirements, application and examination process are available on the Exam Information page of the Board's website, and applications are available on the Forms page of the site.

With the restoration of these licenses and the addition of the State and Local Government Technician licenses, the Board now has the authority to issue 23 different licenses. This vast offering of 12 contractor licenses and 11 technician licenses provides avenues for applicants of various experience levels to obtain licensure as a technician or contractor and enables them to pursue rewarding careers in the fields of plumbing, HVAC, fuel piping and fire sprinklers.

Many firms, licensees and applicants have been affected by the Board's inability to issue these licenses over the past eleven months, and the Board staff would like to take this opportunity to thank those persons for their understanding, patience and concern during the period.

On behalf of all involved, the Board would like to express its appreciation to Senator Tucker for his efforts to restore this portion of the licensing law that is critical to the health, safety and welfare of the citizens of North Carolina, as well as to the livelihood of the many firms and employees engaged in the plumbing, HVAC and fire sprinkler industries.

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## Board Elects New Officers

During the Board's business meeting of April 7th, the members elected new officers for 2017-2018.

Jeffrey Dunn was elected as Chairman. He has served in the fire sprinkler licensee position on the Board since being appointed in 2012, and served as Vice-Chairman for the 2016-2017 term. Stepping down is Immediate Past Chairman Thomas "Tommy" Proffit, who has served on the Board since 2010, and served as Chair for 2016-2017.

William H. "Bill" Sullivan III was elected to Vice-Chairman. Mr. Sullivan is a third-generation heating contractor, third generation board member, holds license number 003, and has served as the air conditioning member of the Board for the past three years. He will fill the vacancy left by Mr. Dunn.

Robert Owens was elected as Secretary/Treasurer. Mr. Owens has served as the public member of the Board since his appointment in 2013. He will be assuming the duties formerly held by John Royal, who has been a board member since 2006 and has served as Secretary/Treasurer since 2013.

Mr. Dunn, Mr. Sullivan and Mr. Owens are all successful businessmen with extensive experience, and all three have demonstrated solid leadership skills as owners, presidents and chief executive officers of their respective firms. Building on the past performance of their successors, they will provide firm and stable leadership to the Board.

The Board members and staff would like to thank Mr. Proffit, Mr. Dunn and Mr. Royal for their past service to the Board and its licensees.

## Department of Revenue Offers Guidance Regarding Sales Tax

For many months there has been much confusion regarding the new requirements of the North Carolina Department of Revenue - Sales and Use Tax Division. On March 17, 2017, the agency published additional information in an attempt to clarify the regulations.

A link to the document was added to the Home Page of the Board's website that day in order to provide our licensees with easier access to the information. The Board cannot offer any clarification, explanation or legal advice regarding these regulations, and encourages individuals with questions or concerns to contact the Department of Revenue at 1-877-252-3052.

Below is an example of the information that is contained in the document, which may be accessed on the Board's Home Page.

**Disclaimer: This list is not specific tax advice. The application of sales and use tax may differ based on the facts and circumstances of a particular transaction.**

<b>Transactions by Category</b>	<b>Capital Improvement Gross Receipts are Exempt from Sales and Use Tax</b>	<b>Repair, Maintenance, and Installation Services Sales Price or Gross Receipts are Taxable Unless Exemption Applies</b>
<b>Air Cleaners</b>		
"Initial installation" or replacement of a complete central air cleaner unit or system (excludes self-contained air cleaners)	X	
Repair, maintain, or replace a component part: collector plates, electronic plates, filters, power boxes, return, air ducts, and sails		Taxable
<b>Air Conditioners (other than central air conditioning systems) (see also - Central Air Conditioning)</b>		
Installation or complete replacement of through-the-wall mounted air conditioner unit or system	X	
Repair or maintain through-the-wall mounted air conditioner		Taxable
Repair, maintain, or replace a component part: air flow controls, air handlers, blowers, casings, copper tubing, fan, motors, filters, grilles		Taxable
Installation or complete replacement of a window air conditioner		Taxable
The addition, replacement or change in the design of air where a permit is required under the NC State Building Code	X	

## North Carolina State Agencies

<b>NC Department of Insurance</b>	<b>919-647-0000</b> <b>800-634-7854</b>	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

Office Phone: 919-875-3612  
Office Fax: 919-875-3616  
E-mail: [information@nclicensing.org](mailto:information@nclicensing.org)

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### Eric Hall

Business & Technology Manager  
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### Dejaya (DJ) Soltys

Executive Assistant / Licensing Coordinator  
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### Karen Jolliffe

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

### Kerry Waldroup

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

### Emily Rabon

Receptionist/Office Assistant  
Extension 213 or [erabon@nclicensing.org](mailto:erabon@nclicensing.org)

### Administrative Officer (Field Staff) Directory

Fax for all Administrative Officers: 919-875-3616

### Jonathan Yerkes

South Central Region  
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### Kevin Thibodeaux

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

### Tom Johnston

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

### Scott Bilsky

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

### David Boulay

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

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

## Website Information: [www.nclicensing.org](http://www.nclicensing.org) (Download Forms)

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

You may obtain any of the following forms 24 hours a day, 7 days a week by visiting our website and clicking on the 'Forms' button on the left side of the screen.

### 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

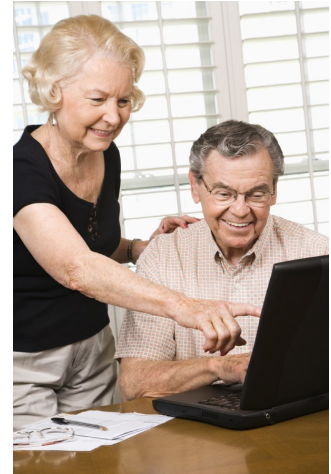
1. Plumbing, Heating, and Fuel Piping Contractor Examination Application
2. Restricted Limited Plumbing Contractor Examination Application
3. Fire Sprinkler Installation & Inspection Contractor Examination Application
4. Residential Fire Sprinkler Installation Contractor
5. Plumbing, Heating & Fuel Piping Technician
6. State & Local Government Technician Examination Application
7. State & Local Government Technician Application (without examination)
8. Fire Sprinkler Inspection Technician Examination Application
9. Fire Sprinkler Inspection Technician Application (without examination)
10. Fire Sprinkler Maintenance Technician
11. Book Reference List for All Applicants
12. Request for Exam Review (for examinees 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



## 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

## 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:

Name	City/Town	Date	Name	City/Town	Date
Brooks, Anthony W.	Raleigh, NC	2/23/2017	Reeher, Mark R.	Charlotte, NC	1/24/2017
Dawson Jr., Robert E.	Chapel Hill, NC	1/26/2017	Schlueter, Uwe	Apex, NC	2/20/2017
Greene, Wondus L.	Raleigh, NC	2/23/2017	Watts, Tim	Greensboro, NC	2/9/2017
McCarraher, John R.	Moyock, NC	2/20/2017	Williams, Willis C.	Jacksonville, NC	1/13/2017

## 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.

Name	City/Town	Date	Name	City/Town	Date
Allen, Terry L.	Statesville, NC	3/23/2017	Meyers, Jason C.	Charlotte, NC	3/15/2017
Johnson, James D.	Spartanburg, SC	4/19/2017	Smith, Leigha M.	Princeton, NC	3/10/2017
Madison, Matthew D.	Statesville, NC	3/23/2017			

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

**Barbour, Christopher**  
**NC Mechanical Heating & Air, LLC**  
**Beulaville, NC**  
 Allegations of misconduct, incompetence, and job abandonment in the business of heating contracting in that the firm failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days

of substantial completion of work, failed to obtain final inspections, failed to provide adequate supervision, failed to perform load calculation(s), violated the minimum standard of the North Carolina State Mechanical Code, violated the minimum standard of the North Carolina State Fuel Gas Code, installation performed in a poor workman like man-

ner / poor workmanship, obtained money and failed to complete work as promised, eventually refunding monies, failed to respond to consumer in a timely manner/poor business practices, sold equipment for installation that did not need to be replaced, and staff of firm lied to homeowner. Resolution Conference held 03/23/2017.

The firm, NC Mechanical Heating & Air, LLC, shall be placed on supervised probation for a period of thirty-six (36) months. Christopher Earl Barbour, who presently owns 50% of NC Mechanical Heating & Air, LLC along with two other partners, 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 firm will be suspended for a period of twenty-four (24) months, with the requirement that prior to the suspended license being reinstated the firm agrees to comply with all of the probation provisions listed above.

**Batchelor, Christopher E.  
Erick Batchelor Plumbing  
National Water Heater, LLC  
Greenville, NC  
License# 21511 P-I**

Allegations of misconduct and incompetence in the business of plumbing and fuel piping in that the licensee failed to provide adequate 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 failed to hold a signed three-way contract with the homeowner and the retail merchant and failed to have his license number and phone number appear on the contract as specified by G.S. 87-21(j).

*Resolution Conference held 02/21/2017.*

The license of Christopher Batchelor, number 21511 P-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, submit to the Board's office within the next sixty (60) days (by 04/21/2017) copies of all employees W-4's for 2017 and by the end of the probation submit a copy of all employees W-2's, and submit to the board copies of all employee W-2's for the years 2015 and 2016. Within sixty (60) days of institution of this order refund to the homeowner the sum of \$355.00 the homeowner pair for the floor repairs. 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.

**Butler, James Mitchell  
T. A. Kaiser Heating & Air, Inc.  
Charlotte, NC  
License# 20021 H-1, 2&3-I**

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee, failed to provide supervision (approximately 35 installers worked throughout Charlotte, NC area and Raleigh, NC area under this one licensee), failed to carry out adequate ductwork installation and system design, failed to size equipment properly, violated the minimum standard of the North Carolina State Mechanical Code, and failed to respond to consumers in timely manners for installation or operation issues.

*Resolution Conference held 12/19/2016.*

The license of James Mitchell Butler, number 20021 H-1, 2&3-I, and that of the firm shall be placed on supervised probation for a period of two (2) years. Among other requirements, by January 20, 2017 the firm shall employ a minimum of two (2) Heating Group 3 licensees. Then by April 20, 2017 the firm shall employ an additional two (2) Heating Group 3 licensees for a total of four (4) Heating Group 3 licensees. The deadline to obtain the required number of licensees was extended until May 15, 2017. Submit to the Board's office by February 19, 2017 copies of all employees W-4's and or 1099's, and by the end of the probation submit a copy of all employees W-2's and or 1099's for each calendar year. The licensee shall enroll in, attend and complete the series of Special Mechanical Code courses, the 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 sus-

pended 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.

**Davis, Darrell G.  
Airmakers Heating &  
Air Conditioning, Inc.  
Raleigh, NC  
License# 9809 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 provide supervision, licensee failed to sign contract, failed to provide a copy of the load calculation upon request from the job file, and violated the minimum standard of the North Carolina State Mechanical Code.

*Resolution Conference held 02/14/2017.*

The license of Darrell Davis, license, number 9809 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.

**Davis, James  
NC Mechanical Heating & Air, LLC  
Beulaville, NC  
License# 31021 H2&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 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, installation performed in a poor workman like manner / poor workmanship, obtained money and failed to complete work as promised, eventually refunding monies, failed to respond to consumer in a timely manner/poor business practices, sold equipment for installation that did not need to be replaced, and staff of firm lied to homeowner.

*Resolution Conference held 02/23/2017.* The license of James Davis, license, number 31021 H-2&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 series of Special Mechanical Code courses and enroll in, attend and complete the Special Board Laws & Rules course. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of 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.

**DeSha, Mel**  
**Mel's Plumbing & Electric**  
**Louisburg, NC**  
**License# 13855 PH-3-I**

Allegations misconduct in business of plumbing and heating contracting in that the licensee failed to provide supervision, allowed the use of license by unlicensed persons for an installation that required a license while the installing person was not a bona-fide employee, failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work.

*Resolution Conference held 02/14/2017.* The license of Mel DeSha, number 13855 PH-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, by April 14, 2017 refund to home-

owner Faisal Daud the sum of \$2,110.00, 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 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.

**Duckworth, Duane E. (\*)**  
**Amerigas Propane, L.P.**  
**Franklin, NC**  
**License# 23686, FP**

Allegations of misconduct in the business of fuel piping in that the licensee improperly listed his license with the board by representing himself as the qualifier for Amerigas Propane at 27 Tusquittee Overlook in Hayesville, NC when there was no Amerigas business location in Hayesville, NC in violation of NCGS 87-21, section 50.0407, failed to obtain a permit prior to commencing work for the installation of approximately 30 feet of fuel piping tied into a newly installed propane gas tank in violation of NCGS 87-21, section 50.0402, and failed to request final inspection within 10 days of substantial completion of the work.

*Duane Duckworth signed a Proposed Resolution Agreement on 03/14/2017.* The license of Duane Duckworth, number 23686 FP, and that of the firm shall be placed on unsupervised probation for a period of twelve months. Among other requirements during the probation, by 03/21/2017, assure the board that his fuel piping license is properly listed with the board. After complaint to the board, the licensee properly his license in the name of Amerigas Propane, L.P. located at 481 Depot St. in Franklin, NC. 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 reinstat-

ed the licensee and the firm agrees to comply with all of the probation provisions.

**Evans, Shamori D.**  
**Evans-Brown Contractors**  
**Greensboro, NC**  
**License# 31640 H-3-I**

Allegations of misconduct in the business of heating contracting in that the licensee violated his probation by failing to attend any of the courses within the required 90 days timeline of institution of the probation agreement, licensee failed to take the Laws & Rules class until almost 1 year later, and licensee failed to attend any of the Mechanical Code Classes.

*Resolution Conference held 02/22/2017.* Upon confirmation from the instructor at the March 3, 2017 Special Mechanical Code Course (session C), then upon payment of the necessary fees for the renewal of his license for 2017, then the license of Evans shall be renewed and placed in an active status. Upon renewal of the license, Mr. Evans is allowed to sit for the plumbing examination only after submission of a complete application and approval of his complete application. In addition, his license, number 31640 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 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.

**Fink, Joshua A.**  
**Fink Mechanical, LLC**  
**Fuquay Varina, NC**  
**License# 32995 H-3-I**

Allegations of misconduct in the business of heating contracting in that the licensee verified the experience for Tony Johnson, who was not a bona fide employee of Fink Mechanical, to sit for the H-3-I exam, and licensee failed to withhold taxes and paid an unlicensed individual using a 1099 Form in violation of

the Board rule 21 NCAC 50.0512.

*Joshua Fink signed a Proposed Resolution Agreement on 03/30/2017.*

The license of Joshua Fink, number 32995 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. 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.

**Fluette, Herbie**

**Fluette Heating & Air  
Burlington, NC**

**License# 29229 H-2&3-I**

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

*Resolution Conference held 02/22/2017.*

The license of Herbie Fluette, number 29229 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 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.

**Grant, Vernon**

**d/b/a Expert Express**

**Raleigh, NC**

**License# 6375 P-II & 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, obtained money and failed to complete installation (job abandonment), failed to perform work in compliance with the written contract with the homeowner, failed to respond to the consumer in a timely manner, licensees staff told lies to consumers after obtaining money on this job, and licensee failed to size the existing duct work to accept the new 3 ton system (replaced a 2 ton system).

*Resolution Conference held 02/23/2017.*

The license of Vernon Gantt, number 6375 P-II & H-3-I, 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 shall enroll in, attend and complete the series of Special Mechanical Design courses, the series of Special Contractor Business Management 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 shall be permanently revoked.

**Herron, Lori M.**

**d/b/a Home Services of the Triad  
Jamestown, NC**

**License# 30561 P-I**

Allegations misconduct and incompetence in the business of plumbing contracting in that the licensee failed to provide adequate supervision, violated the minimum standard of the North Carolina State Plumbing Code, engaged in active employment in the insurance industry while work was being performed under her license under the firm of Commercial Kitchen & Bath, Inc. DBA Home Services of the Triad, and issued 1099's to persons working for the firm who performed and / or helping perform plumbing installations.

*Resolution Conference held 02/21/2017.*

The license of Lori Herron, number 30561 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 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.

**Hildreth, Robert**

**Sky HVAC LLC**

**Charlotte, NC**

**License# 11034 H-2&3-I**

Allegations misconduct in the business of heating contracting in that the licensee paid an unlicensed individual, Michael Hough, by use of a form 1099 without taxes being withheld in violation of the Board rule 21 NCAC 50.0512.

*Robert Hildreth signed a Proposed Resolution Agreement on 03/02/2017.*

The license of Robert Hildreth, number 11034, and that of the firm shall be placed on an unsupervised probation for a period of 12 months. Among other requirements during the probation, the licensee shall enroll in, attend and complete the Special Board Laws & Rules course, and submit to the Board's office within the next thirty (30) days copies of all employees W-4's and by the end of the probation submit a copy of all employees W-2's. In the event of violation of any of the conditions of probation, his license 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.

**Hotchkiss, Keith**

**Dream Quest, Inc.**

**Raleigh, NC**

**License# 11460 P-I**

Allegations misconduct in the business of plumbing and heating contracting in that the licensee failed to obtain a permit prior to commencing work in violation of NCGS 87-21 section .0402, and relocated approximately 3' of duct work to accommodate a bathroom reconfiguration without valid license qualifications.

*Keith Hotchkiss signed a Proposed Resolution Agreement on 01/17/2017.*

The license of Keith Hotchkiss, number 11460 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, his license will be suspended for a period of six (6) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions listed above.

**Johnson, Jimmie L.**  
**Jimmie Johnson Air & Heat**  
**Roaring River, NC**  
**License# 30673 H-3-I**

Allegations of misconduct in the business of heating contracting in that the licensee submitted an application for the H-2 license documenting 7000 hours of experience, which included work that would have required an H-2 license, contracted and performed H-2 work outside his license qualifications, and the work contracted and performed was not permitted and/or inspected as required by NCGS 87-21, section .0402.

*Jimmie Johnson signed a Proposed Resolution Agreement on 03/22/2017.*

The license of Jimmie Johnson, number 30673 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.

**Kelly, Clarence A.**  
**Allen Kelly & Company, Inc.**  
**Raleigh, NC**  
**License# 7049 PH-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 in that the licensee has never been to this job or reviewed the work (before or after the complaint was filed), violated the minimum standard of the North Carolina State Mechanical Code, and installation caused damage to the building (all damages were repaired by the firm at the expense of the firm).

*Resolution Conference held 02/15/2017.*

The license of Clarence Kelly, number 7049 PH-1, 2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twenty-four (24) months. Among other requirements during the probation, within 90 days of the approval of this order, the firm shall add an additional three licensees to the firm (as sublicensees) in order to provide effective supervision. Within 90 days of the approval of this order the contractor shall obtain a permit for the new coil installation and the licensee, Clarence Allen Kelly, shall personally return to the home located at 5053 Dawn Piper Drive where his firm shall perform the installation of a proper transition between the gas furnace and the new cased coil. Upon completion of this work, the firm shall request inspection from the local inspection department within 10 of completion of the work. Within 110 days of the approval of this order the licensee shall submit to the board evidence that the work has received a passing inspection from the local inspector. 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 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.

**Matthis, James R.**  
**Matthis Plumbing Service**  
**Clinton, NC**  
**License# 18183 P-II**

Allegations of misconduct in the business of plumbing contracting in that the licensee verified the experience for Robert Matthis, who was not a bona fide employee of Matthis Plumbing Service, to sit for the P-II exam, and failed to withhold taxes and paid an unlicensed individual using a 1099 Form, from November 2008 to the present date, in violation of the Board Rule 21 NCAC 50.0512.

*James Matthis signed a Proposed Resolution Agreement on 03/28/2017.*

The license of James Matthis, number 18183 P-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. 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 addition, licensee must 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. 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.

**Pelfrey, Jeffrey D.**  
**Hickory, NC**  
**License# 14678 H-3-I**

Allegations of misconduct in the busi-

ness of plumbing in that the licensee engaged in business under a different name or style of business than appears on his/her license, which is a violation of GS 87-21 section .0407, failed to obtain a mechanical permit prior to commencing work, failed to perform a load calculation for the installation of a new 3 ½ ton Amana heat pump, violated the State Mechanical Code, and licensee failed to withhold taxes and paid an unlicensed individual using a 1099 Form in violation of the Board rule 21 NCAC 50.0512.

*Jeffrey Pelfrey signed a Proposed Resolution Agreement on 02/14/2017.*

The license of Jeffrey Pelfrey, number 14678, H-3-I, and that of the firm shall be placed on a supervised probation for a period of twelve (12) months. Among other requirements during the probation, by 02/28/2017, the contractor shall return to the home located at 6144 Vandresser Point 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 March 7th, 2017. The contractor shall submit evidence to the board by 03/13/2017 of the final inspection and shall submit a copy of his load calculation, assure the board that by March 7th, 2017, the contractor shall close out permit number (s) MECR 04-2016-071230 & MECR 01-2013-034218, enroll in, attend and complete the series of Special Mechanical Code courses, 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 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, his license and that 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.

**Roberts, Robbin J.**  
**RJR Electric Heating & Air.**  
**Burlington, NC**  
**License# 22479 H-3-I**

Allegations 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 failed to perform a load calculations.

*Resolution Conference held 02/21/2017.*

The license of Robbin Roberts, number 22479 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, 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.

**Simmons, Jerry D.**  
**Jerry Simmons Refrigeration**  
**Beulaville, NC**  
**License# 6346 PH-2&3-I**

Allegations misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, failed to provide adequate supervision, failed to perform load calculation(s), violated the minimum standard of the North Carolina State Mechanical Code, violated the minimum standard of the North Carolina State Fuel Gas Code, installation performed in a poor workmanlike manner / poor workmanship, obtained money and failed to complete work as promised, eventually refunding

monies, and failed to respond to consumer in a timely manner/poor business practices.

*Resolution Conference held 02/23/2017.*

The license of Jerry Simmons, number 6346 PH-2&3-I, and the license of the firm be suspended for a period of six (6) months, beginning when this agreement is approved by the Board. 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, the license of Jerry Simmons, number 6346 PH-2&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 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, Earl S. II**  
**Smith & Sons Plumb-All**  
**Greensboro, NC**  
**License# 24417 P-I**

Allegations misconduct 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, and failed to obtain final inspections.

*Resolution Conference held 02/22/2017.*

The license of Earl Smith, number 24417 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 listed above.

**Thompson, Wess A. (\*)**

**GWT Services LLC**

**Mooreville, NC**

**License# 33081 P-I**

Allegations of misconduct in the business of plumbing contracting in that the licensee verified the experience for James Honeycutt, who was not a bona fide employee of GWT Services, LLC, to sit for the fuel piping exam, failed to withhold taxes and paid an unlicensed individual using a 1099 Form, in violation of the Board rule 21 NCAC 50.0512, and improperly listed his license with

the board in his individual name while operating in the name of GWT Services in violation of NCGS 87-21, section 50.0406.

*Wess Thompson signed a Proposed Resolution Agreement on 03/27/2017.*

The license of Wess Thompson, number 33081, 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. By 04/08/2017, assure the board that his license will be properly

listed. After complaint to the board, licensee properly listed his license in the name of the firm, GWT Services LLC. 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.



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 \_\_\_\_\_