



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

July 2018

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

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A Case Study on Supervision

The Board recently held a formal hearing which brought to light the major issues that can result from inadequate supervision. The outcome should serve as an opportunity for all licenses to realize the need for proper supervision.

The Respondent in this particular hearing was a licensed fire sprinkler contractor and firm with over 25 employees and approximately 50 jobs either under contract or in progress. Several years ago, the firm had been contracted to install a fire sprinkler system in a state-owned facility housing veterans, some of which are confined to bed. Due to the piping being in an unheated attic, a dry-pipe system was installed.

For a variety of reasons, including inadequate and irregular grade on the branch lines, the system developed Microbiologically Induced Corrosion (MIC) within a few years. This condition resulted in the development of multiple pinholes and leaks at various places in the piping.

The facility was occupied, and over a period of several years, multiple attempts were made to correct the grade and stop the MIC development in the piping. As a result of these patchwork repairs, the sealed pendent-style sprinkler heads were reinstalled improperly and in violation of the manufacturer's requirements.

Raising the piping to correct the slope also raised the existing sprinkler heads that were attached to the piping. Each head must be measured and ordered to within one-quarter inch precision. The contractor and his employees failed to measure and reorder the correct length head, instead reusing the existing heads. The heads, now too short, were repositioned using unsealed black iron pipe extensions which were added between the branch lines and the heads. The extensions were packed with vegetable shortening in an effort to prevent the accumulation of water and the possibility of freezing during winter months.

A different contractor was hired to examine the ongoing problems with the system, and the vegetable shortening packed into the piping was immediately discovered. The State required the complete removal of the entire fire sprinkler system, which is now being replaced in phases. For nearly three years, a 24 hour-a-day fire watch has been required to safeguard the lives of the veterans housed in the healthcare facility.

As a result of the actions of the licensee and the firm's employees, the license of both the individual licensee and the firm was suspended for 12 months, beginning immediately. The licensee and the firm were ordered to stop all work on any jobs under contract or in progress anywhere in North Carolina.

The impact of this action was immediate and widespread, with 50 projects across the State halted and 28 employees losing their job and the means to support their families.

The Board's decision was challenged in court almost immediately. Due to the extreme life safety risk posed to the military veterans residing in the facility, and the potential harm to customers and occupants of other properties involving systems contracted and/or installed by the firm, the Court upheld the Board's order.

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What are the lessons to be learned?

- Business ethics starts at the top, and must extend to the bottom.
- Regardless of whether the licensee is an owner, partner or full-time employee of the firm the ultimate responsibility lies solely and squarely on the licensee.
- Projects that are beyond the knowledge, skills, abilities and conscience of the licensee and the firm should not be undertaken.
- Firms with only one licensee take on considerable risk if that licensee spends all day in the office and not in the field.
- Efforts to blame flagrant occurrences of poor workmanship, code violations and other issues on rogue employees will not be successful, particularly in cases where such issues are clearly visible and should have been addressed by the licensee.
- Seven site visits by the licensee over a period of a year on a project with approximately 1,000 sprinkler heads completely failed to meet the supervision obligation and provide the protection to which the public is entitled.
- There was no evidence that the correct length pendant heads had ever been ordered, a fact which should have raised a red flag with the facility's management personnel.
- Neither the Board nor the Court takes kindly to the thought of melted flammable vegetable shortening being sprayed on bedridden veterans in a fire. A fire sprinkler head is intended to disperse water to extinguish a fire, not flammable liquids which would add fuel to the fire.

The supervision rule of the Board is set out in Board Rule 21 N.C.A.C. 50.0505, reading in part as follows:

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

While this particular case involved a fire sprinkler system, plumbing, heating and fuel piping contractors must also properly supervise their respective trades to guard against other dangers. Improperly designed or installed fuel piping, gas-fired furnaces and water heaters, and various other appliances can create risks of fire, explosion, and carbon monoxide gases which can result in property loss, serious injury and death to unsuspecting building occupants. Likewise, methane gas from improper plumbing connections can also pose risks.

The Board is certainly aware that some licensees don't see every job carried out by employees working under their license. A licensee may get by for years without seeing the work; however, issues arising from a single job years later may expose their failure to provide the required supervision. If the firm has more work than the licensee can properly supervise, then the firm needs additional contractor or technician licensees (listed as sub-licensees of the qualifier) to ensure that all jobs are adequately supervised.

This case study makes it very clear that the consequences of poor workmanship, disregard for codes and a general lack of concern can be horrific. An accidental or intentionally set fire in this facility could have easily resulted in multiple deaths, considerable property damage, and displacement of the surviving residents.

The bottom line is this: the Board holds the licensee responsible for all work contracted or performed under his/her license, whether it is unseen, seen and not recognized as an issue, seen and ignored, or intentionally performed in violation of licensing laws, rules, building codes and industry standards.

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

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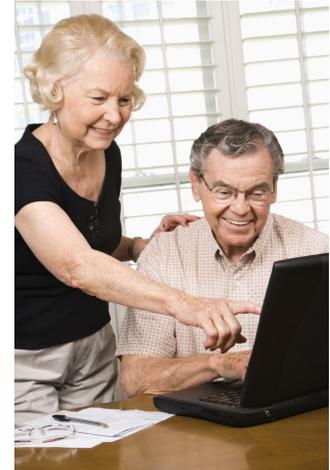
Western Region
828-234-2719 or dboulay@nclicensing.org

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 - 2018 without Sub-licensees
2. Renewal Form - 2018 with Sublicensees
3. Renewal Form - 2018 and Previous Year(s) without Sub-Licensees
4. Reinstatement Form - 2018 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)
13. Re-examination Application
14. License Activation (for examinees who have passed required 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 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>
Celeste, Frank C.	Charlotte, NC	2/12/2018	Mills, Paul D.	Raleigh, NC	4/25/2018
Cison, Randy S.	Brevard, NC	3/21/2018	Moody, Robert L.	Arden, NC	2/5/2018
Citty, Steven R.	Reidsville, NC	3/26/2018	Ordonez-Cabrera, Danilo	Durham, NC	11/2/2017
Cooper II, Robert C.	Laurinburg, NC	2/6/2018	Price, Jeffrey S.	Wingate, NC	4/24/2018
Cuthbertson, Cedric A.	Granite Quarry, NC	3/20/2018	Smith, Aaron D.	Clarkton, NC	3/8/2018
Long, James B.	Wilmington, NC	3/6/2018	Todd, Donald W.	Beaufort, NC	2/14/2018
Lowe, Anthony C.	New Bern, NC	4/27/2018	Wieren II, William V.	Rockwell, NC	4/24/2018

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>
Allison, Lisa G.	Raleigh, NC	6/6/2018	McManus, Chad E.	Monroe, NC	4/24/2018
Blanton III, Warren W.	Fletcher, NC	4/26/2018	Medley, George R.	Charlotte, NC	5/31/2018
Boalo, Anthony T.	Raleigh, NC	6/20/2018	Metts, Kyle L.	Hampstead, NC	5/2/2018
Bolin, Matthew O.	Huntersville, NC	4/24/2018	Minsley, Clifton P.	Raleigh, NC	5/17/2018
Causser, Kenneth	Winston Salem	5/17/2018	Mitchell, Samuel A.	Burlington, NC	5/23/2018
Causey, Steven S.	Shalotte, NC	5/17/2018	Rogers, Adam W.	Mount Pleasant, NC	4/24/2018
Child, Calvin	Rocky Mount, NC	5/1/2018	Sanders, Curnie B.	Carthage, NC	6/13/2018
Cothran, Kenneth D.	Tryon, NC	4/24/2018	Simpson, Brian J.	Charlotte, NC	5/31/2018
Davis, Joseph P.	Grimesland, NC	5/10/2018	Sinclair, Calvin J.	Monroe, NC	6/12/2018
Daw II, Selby H.	Washington, NC	4/24/2018	Suhum, Luis A.	Tarboro, NC	5/1/2018
Fisher, Art W.	Moganton, NC	6/5/2018	Tantura, Huseyin	Charlotte, NC	5/31/2018
Hardison, Demetrius	Sneads Ferry, NC	5/2/2018	Vercoe, James A.	Knightdale, NC	6/20/2018
King, Jason A.	Rougemont, NC	6/5/2018	Willard, Kirk	Raleigh, NC	6/20/2018

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.

Britt, James T.
Jim Britt Electric Company
Rocky Mount, NC
License# 03213 PH-1&3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to perform a load calculation in violation of 21 NCAC 50.0505.

James Britt signed Proposed Resolution Agreement on 03/15/2018.

The license of James Britt, number 3213 PH-1&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, and assure that all installations that have been performed under your license, that have not been permitted or inspected, shall receive approved final inspections within 15 business days, and shall submit to the Board's office within the next thirty (30) days copies of all employee W-4's and by the end of the probation submit a copy of all employee W-2's. 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.

Brock, William K.
Brock's Water Cond. Sales & Ser
Hatteras, NC
License# 09416 PH-2-3-I

Allegations of misconduct in the business of heating contracting in that the licensee violated GS 87-21 section .0402 for failing to properly permit the mechanical installation, violated section .0505 for failing to perform a load calculation, and failed to request final inspection within 10 days of substantial completion of the work.

William Brock signed Proposed Resolution Agreement on 04/24/2018.

The license of William Brock, number 09416 PH-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, the licensee shall enroll in, attend and complete the Special Board Laws & Rules course. The licensee shall obtain the required permit for the installation at 136 Cedar Lane and submit a copy of the final inspection, load calculation and duct design to the board by 05/07/2018. 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. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-23 and this Order.

Bunn, Preston
Preston L. Bunn Heating & A/C
Deep Run, NC
License# 23407 H-3-I

Allegations of misconduct in the business of heating contracting in that the licensee's license was expired from January 1, 2015 through December 29, 2017, and license subsequently paid the license renewal fees for 2015, 2016, 2017 & 2018 on December 29, 2017.

Resolution Conference held 04/24/2018.

The license of Preston Bunn, number 23407 H-3-I, and that of the firm shall be placed on supervised probation for a period of forty-eight (48) month. Among other requirements during the probation, licensee must ensure that he has renewed his license prior to the expiration of the license on December 31st of each year. In the event of violation of any of the conditions of probation, license of the individual and of the firm shall be permanently revoked.

Cartwright, Glenwood
Cartwright's Heating & Air, Inc.
Monroe, NC
License# 17651 H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permits prior to commencing work, and failed to perform load calculations in violation of 21 NCAC 50.0505.

Glenwood Cartwright signed Proposed Resolution Agreement on 03/14/2018.

The license of Glenwood Cartwright, number 17651 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, assure that all installations that have been performed under his license, that have not been permitted or inspected, shall receive an approved final inspections by April 31, 2018, and licensee shall enroll in, attend and complete the Special Board Laws & Rules course. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions.

Daw, Selby
Daw's Plumbing
Belhaven, NC
License# 9755 P-1

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to without taxes and paid an unlicensed individual using a 1099 Form in violation of the Board rule 21 NCAC 50.0512.

Selby Daw signed Proposed Resolution Agreement on 04/24/2018.

The license of Selby Daw, number 9755 P-1, 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, and submit to the Board's office within the next 14 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. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-23 and this Order.

Harrell, George K.
d/b/a George & Co.
Elizabeth City, NC
License# 31510 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, failed to provide adequate supervision, and violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 04/26/2018.

The license of George Harrell, number 31510 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. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-23 and this Order.

Harrelson, James Terry
T.A.G. Heat/Air Cond.
Ellenboro, NC

License# 18551 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.

James Harrelson signed Proposed Resolution Agreement on 03/21/2018.

The license of James Harrelson, number 18551, 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 (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.

Herring, Kenneth Warren

C Breeze Heating & Air Conditioning, LLC
Avon, NC

License# 31244 H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permits prior to commencing work, and failed to perform load calculations in violation of 21 NCAC 50.0505.

Kenneth Herring signed Proposed Resolution Agreement on 03/14/2018.

The license of Kenneth Herring, number 31244 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, assure that all installations that have been performed under his license, that have not been permitted or inspected, shall receive an approved final inspections by March 31, 2018 and licensee shall enroll in, attend and complete the Special Board Laws & Rules course. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions.

Hudgins, Harold P.

Bennettsville, SC

License# 17346 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, failed to provide supervision, failed to carry out adequate ductwork installation and system design, failed to maintain load calculation in job file for a minimum of 6 years, violated the minimum standard of the North Carolina State Mechanical Code, installation performed in a poor workman like manner / poor workmanship, engaged in business under a different name or style of business than appears on his/her license, and created a potential risk of personal injury or property damage.

Resolution Conference held 04/26/2018.

The license of Harold Hudgins, number 17346 H-3-II, 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, 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 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. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-23 and this Order.

Letchworth, Austin T.

Letchworth's Heating & Air
Snow Hill, NC

License# 33487 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, failed to provide supervision, failed to carry out adequate ductwork installation and system design, failed to perform load calculation(s), violated the minimum standard of the North Carolina State Mechanical Code, installation performed in a poor workman like manner / poor workmanship, allowed the use of license by unlicensed persons, and contracted work and work was performed under the license while the licensee was actively employed with another firm.

Resolution Conference held 04/27/2018.

The license of Austin Letchworth, number 33487 H-3-II, and that of the firm shall be placed on unsupervised probation for a peri-

od of twenty-four (24). Among other requirements during the probation, the licensee shall enroll in, attend and complete the series of Special Contractor Business Management courses, 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 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. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-23 and this Order.

Lewis, Barry L.

Barry Lewis Electric
Angier, NC

License# 22070 H-3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to provide adequate supervision, violated the minimum standard of the North Carolina State Fuel Gas Code, and failed to install gas piping correctly.

Resolution Conference held 04/24/2018.

The license of Barry L. Lewis, number 22070 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, the 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. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-23 and this Order.

Martin, Brandon D.

Brandon Martin & Sons Contracting, LLC
Liberty, NC

License# 33455 H-3-I

Allegations of misconduct in the business of plumbing contracting in that the licensee installed water heaters and toilets without valid license qualifications.

Brandon Martin signed Proposed Resolution Agreement on 04/09/2018.

The license of Brandon Martin, number 33445 H-3-I, and that of 10 Federal Management, LLC 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.

Mooring, Jeffrey S.
Snow Hill, NC
License# 19728 P-I

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

Resolution Conference held 04/24/2018.

The license of Jeffrey Scott Mooring, number 19728 P-I, and the license of the firm is suspended for a period of six (6) months. By the end of the suspension the licensee shall return to the home located at 404 Winchester Road and repair all of the code violations with the building drainage system, building sewer, water distribution piping and water service line. If the repairs have already resolved by another contractor at the expense of the homeowner, the licensee shall reimburse to the homeowner the expenses they incurred to repair the systems installed under the licensee's license. In the event of violation of any of the conditions of suspension, 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 suspension provisions listed above. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-23 and this Order.

Philips, Bryan Keith
Village Air, Inc.
Salvo, NC

License# 31489 H-3-II

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permits prior to commencing work, and failed to perform load calculations in violation of 21 NCAC 50.0505.

Bryan Philips signed Proposed Resolution Agreement on 03/14/2018.

The license of Bryan Philips, number 31489 H-3-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, assure that all installations that have been performed under his license, that have not been permitted or inspected, shall receive an approved final inspections by March 31, 2018 and licensee shall enroll in, attend and complete the Special Board Laws & Rules course. In the event of violation of any of the conditions of probation, license of the individual and of the firm will be suspended for a period of three (3) months, with the requirement that prior to the suspended license being reinstated the licensee and the firm agrees to comply with all of the probation provisions.

Sampson, William L.
G & M Service, LLC
Garner, NC

License# 28557 H-1,2&3-I

Allegations of misconduct and incompetence in the business of heating contracting in that the licensee failed to obtain permits 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 also failed to provide any supervision on some instances, failed to perform proper duct design, and violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 04/25/2018.

The license of William Sampson, number 28557 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 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. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-23 and this Order.

Swain, Duard S., IV
D. S. Swain Gas Company, Inc.
Bellhaven, NC

License# 21162 FP

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 Fuel Gas Code, failed to provide adequate supervision, and operated multiple offices without licenses listed in each office (this has since been corrected).

Resolution Conference held 04/26/2018.

The license of Duard Swain, number 21162 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, within thirty (30) days of approval of this order the licensee shall return to this job (685 South Asbury Church Rd.) and assure that the fuel piping and heater installation meets the requirements of the NC Fuel Gas Code, then assure that a final inspection has received within forty (40) days of approval of this order. This work shall be performed at the expense of the licensee and at no expense to the homeowner. The licensee shall submit evidence to the board within fifty (50) days of approval of this order that the job has received a final passing inspection. Within 30 days of approval of this order the licensee shall reimburse to the homeowner (Bette Burbage) the \$30.00 permitting fee. The 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. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-23 and this Order.

Turner, Phillip K.
Snow Hill, NC

License# 28170 H-2&3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to provide adequate supervision, was actively employed with Greene County while work was being performed under his license, and allowed the use of license by unlicensed persons.

Resolution Conference held 04/26/2018.

The license of Phillip Turner, number 28170 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 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. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-23 and this Order.

Webb, Jimmy L.
Webb Heating & Air Conditioning
Huntersville, NC
License# 11981 H-2&3-I

Allegations of misconduct in the business of heating contracting in that the licensee failed to without taxes and paid an unlicensed individual using a 1099 Form in violation of the Board rule 21 NCAC 50.0512.

Jimmy Webb signed Proposed Resolution Agreement on 04/24/2018.

The license of Jimmy Webb, number 11981 H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of 12 month. 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 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 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. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-23 and this Order.

Zamora, Walt C.
WZ Plumbing LLC
Burlington, NC
License# 24018 P-I

Allegations of misconduct in the business of plumbing contracting in that the licensee failed to obtain a permit prior to commencing work, violated the State Plumbing Code, and engaged in business under a different name or style of business than appears on his license.

Walt Zamora signed Proposed Resolution Agreement on 04/24/2018.

The license of Walt Zamora, number 24018 P-I, and that of the firm shall be placed on unsupervised probation for a period of 12 (twelve months). Among other requirements during the probation, the licensee shall enroll in, attend and complete the Special Board Laws & Rules course, the series of Special Fuel Gas Code and Design courses, within 21 (twenty-one) days from signing this agreement the licensee shall obtain a final inspection for the above mentioned job, and assure that his license has been listed with the Board in the name that he currently operates his business. Licensee agree to do this within the next 10 (ten) business days from today. After complaint to the board, the licensee obtained the approved final inspection and completed the trade name change. 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. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-23 and this Order.

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.

Abrams, Rawle
Greensboro, NC

Allegations of plumbing and heating contracting without a valid license in violation of prior Judgment of Permanent Injunction. Order of Civil Contempt filed 4/9/18 ordering Defendant not to engage in business of plumbing, heating or fire sprinkler contractor until properly licensed to do so and to pay a fine of \$500.00 to the Wake County Clerk within 30 days.

Borg, Anthony
Louisburg, NC

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 4/26/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Britt, Matthew J.
Lumberton, NC

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction

filed 4/26/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Brown, Kentrell L.
Statesville, NC

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 4/23/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Chen, Texas
Leland, NC

Allegations of plumbing contracting in violation of Judgment of Permanent injunction filed 12/11/15. Order of Civil Contempt filed 5/14/18 finding the Defendant in Contempt and ordering the Defendant to pay a \$500.00 fine and imposing a 30 days suspended sentence conditioned upon no future violations.

Civetello, Joseph Oswald
Morganton, NC

Allegations of plumbing contracting without a valid license. Order granting Permanent Injunction by Summary Judgment filed 1/2/18.

Clark III, James Cecil

Finding of aiding and abetting an unlicensed contractor during an HVAC installation. Consent Order issued on 2/12/18. No action taken against Ed Phillips, Inc. License of James Cecil Clark is suspended for 6 months beginning 7/1/18 to be followed by 24 months of supervised probation.

Davis, Ronte
Fayetteville, NC

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 5/2/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Escobar, Jose G.
Winston-Salem, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 5/2/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Frink, Lester
Chadbourn, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 4/26/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Galindo, Jose G.
Kernersville, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 5/23/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Gaspar, Cirenio
Wilson, NC**

Allegations of fire sprinkler contracting without a valid license. Judgment of Permanent Injunction filed 3/12/18 enjoining the Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed to do so.

**Hedgepeth, David
Garner, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 4/4/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Ibrahim, Jason S.
Rolesville, NC**

Allegations of heating contracting without a valid license in violation of 8/8/17 Judgment of Permanent Injunction. Order of Civil Contempt entered 5/3/18 finding the Defendant in contempt and ordering the Defendant to pay a \$500.00 fine and imposing a 30 days suspended sentence conditioned upon no future violations.

**Lamarche, Jacques G.
Winnabow, NC**

Finding of failure to permit a project, to complete the job, failed inspections for multiple deficiencies/violations, extracting payment from homeowner earlier than contracted, and altercation with homeowner requiring police to be called. Formal Hearing on 1/9/17. Order hand delivered to respondent on 1/25/18. Respondent's license suspended for 30 days on condition of repayment of property owners. Respondent admonished of importance of effective communications with customers and inspectors and avoidance of confrontation. Board has received confirmation of repayment of property owners and satisfaction.

**Leonard, Nathan C.
Robersonville, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 5/23/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**McGinnis, Leon K.
Mount Holly, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 4/26/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Outlaw, Christina
Garner, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 4/4/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Seibert, Cody A.
Southport, NC**

Allegations of heating contracting without a license. Judgment of Permanent Injunction filed 5/21/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Smith, Joshua R.
Fayetteville, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction

filed 3/2/18 enjoining respondent from engaging in business as plumbing or heating contractor until properly licensed to do so. Defendant served 4/9/18.

**Speight, Christopher
Raeford, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 5/2/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Strelec, Michael
Asheville, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 4/26/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Underwood, Brian D.
Fairview, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 5/2/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Wall, Tommy Lee
Wilmington, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 5/21/18 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Williams, Gregory
Garner, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 5/9/18 enjoining respondent from engaging in business as plumbing or heating contractor until properly licensed to do so.

**Williams, Gregory
Garner, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 5/9/18 enjoining respondent from engaging in business as plumbing or heating contractor until properly licensed to do so.

