



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

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### Message from Sandra O'Brien, Executive Director

#### Resolution Conferences

Resolution Conferences have been held for several months now and I am happy to report that we are succeeding in accomplishing our goals.

At first we were apprehensive that licensees would fail to realize the seriousness of the problems and fail to attend. While we have had several contractors that have called and tried to cancel the most of them have ultimately shown up.

The several licensees that ignored the invitation letter and did not attend the conference suddenly called and wanted to meet when they received the paperwork notifying them that the Resolution Committee held the conference without them.

These conferences are a rare opportunity for the licensees to have input by discussing the complaint and having the time to explain their side of what happened. The licensee is also given input into what the result of the conference will be.

When it is apparent that the licensee is lacking in knowledge in a specific area they may be given the opportunity to obtain education in that area. This type of agreement may actually keep a contractor's license from being suspended. When some of the complaints were headed towards an obvious suspension we were able to hold that in abeyance allowing the licensee to perform in other ways in order to prove that they were capable of change.

We have held a total of 66 Resolution Conferences with an agreement being reached between to licensee and the committee the majority of the time. The committee has withdrawn two agreements and forwarded several to a Formal Hearing when an agreement could not be reached.

A licensee has 30 days after receiving written verification of the agreement to reject their signed agreement and move forward to a Formal Hearing. Two have chosen to rescind their agreement.

### More on Mismatched Systems

#### Bill Tomlinson, Assistant Executive Director

Our Spring 2002 newsletter carried an article regarding mismatched equipment, written to make sure that HVAC contractors remember the concerns about mixing incompatible equipment which may arise during an investigation following complaints to the Board.

The article generated a number of calls to the Board and to the Building Codes section of the North Carolina Department of Insurance. A variety of interpretations and reactions from various inspection departments were noted. In particular, distinctions between new installations and replacements, and between major and minor components were noted.

General Statutes 153A-357 and 160A-417 require a permit for the general repair or

replacement of any heating or cooling equipment. The Board understands "general repair" to refer to major repair, which ordinarily involves major components. Licensees of the Board are aware that minor repairs do not require a license from this Board, and may not require a permit from the local inspector.

Many repairs involve only the replacement of defective parts. While replacement parts should work with the equipment being repaired and be installed in accordance with the manufacturers installation instructions, the Board recognizes that this may not always be possible. Older HVAC equipment may not have matching replacement parts nor manufacturers

*Mismatched continued on page 2*

DO YOU HAVE YOUR  
**6**  
HOURS

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#### TAKE NOTE:

- You must have 6 CE hours of Board approved Continuing Education credits by 12/31/2002.
- Check your CE hours online by clicking "Continuing Education" at [www.nclicensing.org](http://www.nclicensing.org)