



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

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N.J. Whitaker, Chairman

H. Singh, R.J. Long, J. L. Harrison, Jr., A.G. Williams, P.K. Selby, T.G. Proffit

Renewals and Continuing Education

Bill Tomlinson, Assistant Executive Director

As you read this article many of you will have completed the six hours of continuing education for 2003 license renewal. To you we say thanks and well done. If you are still in need of any required hours you should quickly sign up for classes to eliminate over booking in November and December. Board rules prohibit class size to exceed one hundred participants in order to maintain a good educational environment.

As has been stated in past newsletters, those licensees not having their required hours on January 1, 2003 will be reported to all inspections departments and appropriate sanctions such as stop work orders and hearing before the Board for working without a license will be carried out.

Reports to this office have led us to believe that the few who have not taken their continuing education hours still believe the Board will cancel this program. Again, I am reporting to you that the Board is pleased with the response and results of this program. At each and every Board meeting our staff is encouraged to carry out the Board's resolve to make our educational program number one in the country.

Many licensees have obtained hours by going to various code interpretation classes and expressed pleasure at what was being taught.

Starting in 2003 every licensee will be required to attend code courses in their licensed qualification so that all of our programs will fall into a pre-approved scheduled rotation. Each licensee will be required to take a minimum of four hours of continuing education in North Carolina code changes and amendments.

Today I call on all licensees who have received their education hours to be in council with any licensee who has yet to receive his or her continuing education hours. I ask you to encourage them to complete their required hours as quickly as possible.

As our staff has monitored various courses being taught across the state they are being complimented by many of you for the excellent all around courses. Instructors and locations of the courses and in general the majority of licensees are pleased with the program.

I thank each of you for your participation and wish you all a most successful business year.

Time is Short

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

NOTICE OF PUBLIC HEARING

The Board will conduct a public hearing on possible changes in Board rules October 9, 2002 beginning at 10:00 am in the offices of the Board. Written comments may be sent to the Board office and must be received on or before 5:00 p.m. October 16, 2002.

Items to be considered for change:

1. Limited license in the following categories
 - a. Limited Residential Fire Sprinkler license
 - b. Limited Fire Sprinkler Maintenance license
 - c. Limited Plumbing Contracting Water Heater and Service license
2. Change in the license and examination fees
3. Continuing Education
 - a. Redefine continuing education hours
 - b. Deadline for course submissions
 - c. Termination of course

Know Your Board Staff:

Sandra O'Brien	Executive Director
Bill Tomlinson	Assistant Exec. Director
Vanessa Brown	Office Manager
Sharon Pittman	Complaint Coordinator
Michele Faison	Complaint Clerk
Doris Conklin	Bookkeeper
Dolores Carmona	Exam Coordinator
Judy Stewart	Receptionist
Karen Cowan	Licensing Clerk
Elizabeth Rose	Office Assistant
Dale Dawson	Field Investigator
	Western Region
Will Enecks	Field Investigator
	Eastern Region
John Todaro	Field Investigator
	Southwest Region
Wayne Mixon	Field Investigator
	Central Region
Scott Waterhouse	Continuing Education

Preparing for the Heating Season

By A Technical Training Institute

As HVAC contractors gear-up for the upcoming winter heating season they should be thinking about their workforce, and preparing them for the changes in work processes.

It's difficult for many technicians to shift gears from cooling to heating without some training to prepare them for the changes in their daily routine. As the cooling season winds down in September, many contractors in North Carolina will have the available time to dedicate to training their workforce; helping technicians provide better customer service, reduce re-work and increase profits.

Contractors can maximize their profit; customer satisfaction and productivity by eliminating costly re-work associated with technicians changing their thought processes and techniques from cooling to heating service issues. Proactive training, (targeted to common service problems derived from your historical data), will pay for itself many times over when technicians do everything right the first time.

Training as simple as; how to do heating tune-ups, defrost control diagnosis; heat exchanger evaluations and typical gas furnace service procedures, can all be done in-house. Your Service Manager, the Manufacturer, or a reputable HVAC Service Training Consultant can provide the training at a cost far more reasonable than the cost of re-work and unhappy customers.

Heating system tune-ups are one way HVAC Contractors can keep their workforce profitably employed during the slow season. An opportunity for long-term customer growth exists in the tune-up market when contractors properly train their technicians to add value to the service. Training your service technicians to properly perform a tune-up and diagnose problems such as duct leakage, improper refrigerant charges, low airflow, improper airflow and combustion efficiency will add value to your service product and insure your company gets the replacement system, at your price, when that time comes.

As the competition for customers becomes greater, the contractors with the superior workforce and the ability to market valuable services to their customers are the contractors that will grow and prosper, regardless of the state of our economy.

*A Technical Training Institute is one of the Boards
Approved Continuing Education Providers*

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 businesses or individuals in the field please report them to this office.

<u>Name</u>	<u>City/Town</u>	<u>Consent Agreement</u>
Andrews, Larry	Franklinton, NC	06/13/2002
Baker, Ricky	Vanceboro, NC	07/26/2002
Blackmon, Dennis	Fayetteville, NC	07/29/2002
Blum, John	Harrisburg, NC	06/21/2002
Brock, Christopher	Lakemont, GA	06/27/2002
Brown, Larry Jr.	Denver, NC	04/11/2002
Camacho, Juan	Waynesville, NC	06/26/2002
Caryl, Thomas	Indian Trail, NC	06/05/2002
Cosby, Randy	Sherrillsford, NC	04/11/2002
Costa, Gregory	Wake Forest, NC	05/30/2002
Cryer, Bob	Lumberton, NC	07/24/2002
Edwards, William	Clemmons, NC	05/20/2002
Fox, Ralph Jr.	Leland, NC	06/12/2002
Greenarch, Roger	Canton, NC	06/27/2002
Griffin, Ronnie	Lewisville, NC	04/22/2002
Hall, William Jr.	Dunn, NC	06/24/2002
Hartzog, Charles	Charlotte, NC	06/21/2002
Holden, Audie	Fairmont, NC	06/21/2002
Ingram, Jermaine	Charlotte, NC	04/08/2002
Justice, Danny	Durham, NC	05/23/2002
Madjar, Dave	Knightdale, NC	07/17/2002
May, Brad	Edenton, NC	07/10/2002
May, Tony	Rougemont, NC	06/06/2002
McCraw, James	Newton Grove, NC	07/24/2002
McLaughlin, Pat	Wheeling, IL	07/02/2002
Morrison, James	Hendersonville, NC	06/03/2002
Myrick, Mark	Charlotte, NC	06/21/2002
Rayburn, James	Charlotte, NC	03/18/2002
Riggsby, Lawrence	Albemarle, NC	04/11/2002
Young, David	Connelly Springs, NC	06/17/2002

**You MUST complete your
continuing education requirements
to renew your license for 2003**

Permit Warning Letters

<u>Name</u>	<u>City/Town</u>	<u>Permit Warning</u>
Barrier, Frank	Concord, NC	07/03/2002
Brown, Keith	Clover, SC	03/26/2002
Caldwell, William	Charlotte, NC	03/25/2002
Carver, Steve	Blairsville, GA	06/27/2002
Church, Paul	Fayetteville, NC	07/17/2002
Davis, Thomas	Charlotte, NC	03/18/2002
Dixon, Ronald Sr.	St. Pauls, NC	06/27/2002
Holland, Charles	Morehead City, NC	07/23/2002
House, Lonnie	Pinetops, NC	06/14/2002
Isenhour, Kim	Hickory, NC	06/17/2002
Jenkins, Ronnie	Jacksonville, NC	06/19/2002
Kluttz, William	Concord, NC	07/03/2002
Lisk, Larry	Wilmington, NC	05/28/2002
Markunas, Alice	R.T.P, NC	06/04/2002
Melvin, Joseph	Fayetteville, NC	07/15/2002
Minton, James	Kinston, NC	07/09/2002
Nichols, Michael	Thomasville, NC	05/30/2002
Pearson, Bryan	Shelby, NC	01/15/2002
Skorcz, Adam	Newport, NC	06/21/2002
Sykes, Gary	Durham, NC	06/03/2002
Taylor, Eddie Jr.	Charlotte, NC	03/21/2002
Thomas, James	Snow Hill, NC	06/13/2002
Wall, Freddy	Knightdale, NC	06/19/2002

100th Birthday of Air Conditioning

One hundred years ago on July 17th, Willis Carrier, a 25 year old apprentice engineer employed by the Buffalo Forge Company, handed in his plan to solve a new client's problem—and air conditioning was born, according to Carrier Corp.



Willis Carrier (1915)

The client, Sackett-Wilhelms Lithographic and Publishing Co. of Brooklyn, experienced problems when its sheets of paper used for production were expanding and contracting in the heat and humidity, causing ink not to dry properly. The publishers of one of Sackett-Wilhelms' biggest clients, Judge magazine, were not pleased with the production problems and threatened to take their business elsewhere.

Carrier, just a year removed from Cornell University, was confronted with the client's problem and came up with the idea of air conditioning. He figured if a production plant was heated by blowing air through coils pumped full of steam, then why couldn't the plant be cooled by blowing air through coils of cold water.

On July 17, 1902, Carrier completed his drawings for what became recognized as the world's first air-conditioning system, and submitted them to his employer and client. This marked the birth of air-conditioning, according to Carrier Corp.

Character is like a tree and reputation like a shadow. The shadow is what we think of it; the tree is the real thing.

Abraham Lincoln

NEWS FLASH

Renewal Time Is Near

- ☞ Renewals to be mailed to licensees **Oct. 1, 2002**
- ☞ Fill out renewal form completely.
- ☞ Renewals must be returned to Board office by Dec. 31, 2002.
- ☞ Continuing Education (CE) hours **must** be completed to renew license for 2003.
- ☞ Master license holders need to verify that their sub-licensees have completed CE requirements in order to renew license.
- ☞ Fire Sprinkler Contractors are to send a copy of NICET certificate with renewal form.
- ☞ Inspectors are to send a copy of their current inspector card(s) with renewal form.

NOW AVAILABLE

2002 Board Laws and Rules Book

**\$10.00
Plus \$1.35 postage**

Send Check or Money Order to:
State Board of Examiners
Laws and Rules
1109 Dresser Court
Raleigh, NC 27609

Make check or money order payable to:
State Board of Examiners

Good Guys and Gals

The Board is looking for Good Guys and Gals that have gone the extra mile to help others. Please send your items to the attention of Scott Waterhouse.



EXAM UPDATE

.0307 Refund of Deposit

The application and examination fee for an examination will not be refunded.

History Note: Amended Effective August 1, 2002

.0308 Review of Examination

- (a) Any person who fails to pass an examination may, on written request, review the examination paper at a time and place determined by the Board.
- (b) In the event an applicant fails an examination for a particular qualification three times, the applicant must present evidence of six months practical education directly involving both design and installation of systems of the type for which the license is sought together with 50 contact hours of classroom education in the subjects covered by the examination.

History Note: Amended Effective June 14, 2002

Testing Sites for Board Examinations

Asheville
Charlotte
Greenville
Raleigh
Wilmington
Winston-Salem

SUMMARY OF FORMAL PROCEEDINGS

BLUE, BOBBY Charlotte, NC 2/20/02

Allegations of heating contracting without a license.

Summons and Complaint filed 3/05/02.

Permanent injunction entered 4/4/02 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor.

BROWN, JOSEPH Williamston, NC 1/10/02

Allegations of heating contracting without a license. Summons and Complaint filed 2/11/02.

Permanent injunction entered 4/4/02 in Martin County Superior Court enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor.

BROWN, WILLIE LEE Salisbury, N.C. License #03808 4/2/01

D/B/A BILL BROWN PLUMBING, HEATING & AIR CONDITIONING, INC.

Allegations of incompetence and misconduct in the business of heating contracting in that Respondent, as a responsible outside salesperson with Sears, arranged to subcontract multiple jobs to licensees after making the contract on behalf of Sears. Numerous problems occurred on jobs including failure to line supply box with duct board; failure to cap off grills in basement; providing inadequate return on system; installation of hanger on duct where sewer pipe is holding up area of duct; installation of PVC flue piping terminating outside within four feet of an operable window; failure to obtain proper permits and inspection, failure to seal the panning used on the return air ducting system to the floor joist; failure to properly construct flexible duct joint; failure to use a connecting sleeve when connecting two pieces of flexible duct.

Order entered by the Board 3/25/02 entering a Letter of Warning on the license record of Respondent and admonishing him of the necessity to take responsibility for system design, provide adequate supervision of all outside salespersons working under his license and meet local requirements for permits. If installations are subcontracted, Respondent is admonished to execute the contracts and subcontract only to licensed mechanical contractors. Licensee was directed to remove license from Bill Brown Heating unless active in the business.

BULLARD, RONNIE LEE North Wilkesboro, NC 5/25/01

License #15626

Allegations of incompetence in the business of plumbing contracting in that Respondent failed to test PVC and water lines, failed to staff job with adequate trained personnel and contracted the job on an expired license.

Final Order issued 4/10/02 placing the license of respondent on probation for 6 months with provisions that Respondent have written contracts, obtain permits, personally examine each job site prior to execution of the contract, immediately prior to rough-in inspection and immediately prior to final inspection; maintain records detailing and documenting his compliance with the provisions of this probation order and commit no violation of Article 2, Chapter 87 or the Rules of the Board.

BURKHARDT, JERRY CHRISTOPHER Carolina Beach, NC License #18152 H-3-18/15/01

Allegations of incompetence in the business of heating contracting in that respondent failed to obtain a permit prior to beginning the installation, failed to obtain a final inspection; failed to properly seal supply duct connections to the air handler; failed to properly seal return box leaving the unit to draw air from inside wall cavity; failed to provide combustion air per installation instructions; failed to properly support the furnace leaving it partially sitting on an air conditioner coil box; failed to secure the return plenum to the furnace; failed to secure single wall flue pipe to the furnace; installed flue pipe with

two ninety degree elbows mounted back to back; installed the flue pipe in attic in contact with wood in more than one place; used an improper flue cap allowing water to enter the flue pipe and failed to install cut-offs in oil line.

Formal hearing held 3/12/02. Order entered by the Board on 3/25/02 revoking the license of respondent and providing license may be reinstated after not more than three years, if Respondent produces satisfactory proof he has reimbursed the homeowners listed in the Notice.

Request for Modification of order and request for reinstatement of license by Respondent heard 4/10/02.

Order issued by the Board 4/30/02 denying the respondent's request for modification of the Order from 3/25/02 and reinstatement of his license. The order revoking license of respondent will remain in effect and will not be reinstated until the money is paid to Mr. and Mrs. Taylor in full.

CARPENTER, ROBERT G. Winston-Salem, NC License #14800

Allegations of incompetence in the business of heating contracting in that respondent failed to properly supervise installations; located the furnace in a basement which is below grade without a floor drain; failed to properly glue a three inch PVC flue pipe glue joint; failed to install an accessible gas cut-off valve handle for the gas furnace; removed the casing and labels from an encased coil and installed the coil in the duct system; failed to use a connecting sleeve on flexible duct connected to flexible duct; contracted plumbing work without a plumbing license; and did business under the name of Top Line Home Improvement while his license was issued in his individual name. The facts revealed a money dispute with the property owner and inspection at the property owners request, which appeared to be related to the existence of the foregoing conditions.

Final order entered by the Board 3/12/02 placing a Letter of Warning on the license record of respondent and admonishing that he provide supervision as required by Rule 21 NCAC 50.0505, provide adequate training for employees and assure each installation for which he is responsible meets the minimum standards of the North Carolina State Building Code and manufacturers installation instructions before requesting inspection.

CHANDLEY, DENNIS RANDALL Black Mountain, NC

License #22216 P-II 10/1/01

Allegations of incompetence and lack of supervision in the business of plumbing contracting in that respondent connected a shower drain to a 3" building drain downstream from water closet without it being vented; tied new 3" building drain to existing 3" ABF building drain which is back-graded; installed PEX water piping without proper amount of hangers throughout project; failed to install a vent on 1-1/2" laundry tub downstairs; installed a quarter bend where direction of flow is from the horizontal to the horizontal; installed a 2" PVC shower arm with improper grade; failed to seal tub spout in bathroom over garage to tub wall; left waste piping under kitchen sink leaking in two different places; repeatedly made statements to investigator which were untrue; capped off plumbing roof vents; failed to adequately support main water service pipe inside building; installed a 3" cleanout to serve a 4" building drain/building sewer; installed 3" building drain in the trusses with no grade; and installed 2" kitchen sink drain backgraded.

Final Order issued by the Board on 4/10/02 placed the Respondent on probation for 1 year with provisions that Respondent have written contracts, obtain permits as required, personally appear on each job site at execution of contract, immediately prior to rough-in and final inspection request and request reinspection within 5 days after any inspection turnaround, maintain job files and service logs and records detailing his compliance with the provisions of this order and commit no violation of Article 2, Chapter 87 or the Rules of the Board.

CHAVIS, PRESTON FOSTER

Fayetteville, NC License #22602 3/26/01

Allegations of failure to comply with probation Order and incompetence in the business of heating contracting in that respondent failed to properly support and seal ductwork, incorrectly spliced wires for disconnect, failed to obtain a permit, failed to properly insulate ducts around boots, used improper vapor barrier tape, failed to install electrical disconnect at HVAC unit, left open electrical splice under house, and contracted work while license was suspended.

Final Order issued by the Board 3/12/02 suspending the license of respondent for one year.

DOOLITTLE, JAMES FLOYD "BUSTER" Kannapolis, NC 12/27/01

Allegations of plumbing contracting without a license.

Permanent injunction entered 5/30/02 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor.

FRANCIS, DURWARD PATRICK Wake Forest, NC

License #16393 10/9/01

Allegations of incompetence in the business of heating contracting in that respondent merged primary and secondary condensate lines without the use of a float switch, failed to use primer on PVC lines, installed supply duct with vapor barrier pulled away from insulation, and failed to properly place a supply register. Contract disputes arose resulting in failure to complete and correct the problems.

Final Order entered by the Board on 3/12/02 entering a Letter of Warning on the license record of respondent and admonishing him to obtain permits and inspections as required by the Board and assure preparation of detailed contracts.

INGRAM, PHIL Charlotte, NC 9/17/01

D/B/A P&P HEATING, COOLING AND APPLIANCES

Allegations of heating contracting without a license in violation of prior Order entered by the Court on 6/06/01.

Contempt hearing held 11/29/01.

Order of Contempt filed 5/29/02, fining the defendant \$258.00 plus \$1,489.00 and finding defendant in contempt of Court.

JIMISON, ROGER DALE Shelby, NC 1/29/02

Allegations of heating contracting without a license.

Permanent Injunction entered 4/15/02 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor.

JOHNSON, ROBERT ERNEST, II Elk Creek, VA 1/29/02

Allegations of plumbing contracting without a license.

Summons and Complaint filed 2/08/02.

Permanent injunction entered 4/12/02 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor.

JONES, LEE ROY Huntersville, NC, License #19655 H-3-II10/1/01

Allegations of incompetence in the business of heating contracting in that Respondent failed to seal the return air patch on the bottom of the unit; failed to cover the return air filter which is allowing unfiltered/unconditioned air to enter the system; improperly made the return transition so as to allow only partial use of the return air filter; installed flexible gas connector entering into the cabinet of the furnace; improperly supported both the furnace and coil; installed the supply transition larger than the unit opening; failed to install the b-vent flue piping with a quarter-inch per foot rise; allowed his license to be used to obtain the permit and provided no supervision; failed to properly protect the copper gas piping within three feet to grade; failed to properly support flexible ductwork every five feet; failed to replace vapor barrier that had been torn; provided inadequate supervision with the result the installation failed rough-in inspection twice and failed final inspection three times; failed to obtain final inspection on either of two permits; failed to protect the copper gas piping within three feet of grade; failed to properly support the copper gas piping; used an electrical tie to serve the gas piping; failed to properly sleeve the gas piping at the masonry wall; failed to fasten the supply duct on all sides to the unit; used improper starting collars; failed to remove debris from the installation of duct board; failed to install balancing dampers; installed the return air opening flange with an undersized collar; crammed the flexible ductwork between the ductwork and floor joists above; installed the flexible ductwork so that the radius is too tight; failed to provide a continuous vapor barrier; used tape and mastic to secure the collars for the ductwork; installed an undersized return air grille in the floor; installed gas piping so as to be in contact with dissimilar metals; installed the condensate of two-ton unit over a telephone wiring box; improperly termi-

nated the b-vent flue piping outside; installed ducts criss-crossed resulting in crushed flexible ductwork; installed thermostat control wiring strapped to b-vent flue; failed to prime/clean PVC condensate piping prior to gluing; installed undersized air return for five-ton unit; installed splice connections which have come apart due to improper flexible duct connections; failed to install emergency shut-off switches; obtained only one permit; used thirteen six-inch diameter ducts for a five-ton system; failed to obtain inspections and misrepresented the scope of work on permit; misrepresented existence of a lightning strike; failed to leave installation, operation, and maintenance manual with unit; installed used equipment; promised to refund money but failed to do so; failed to install connectors on undersized flex duct allowing the ductwork to fall apart under house; installed 3 1/4" collars on extensions of ductwork which is undersized for a 3-1/2 ton system and installed ductwork without adequate radius.

Formal hearing held 4/10/02.

Order issued by the Board on 5/7/02 revoking the license of both Lee Roy Jones and ABC Heating to engage in business as heating contractors. The Board will not exercise its authority to reinstate license after revocation except upon demonstration of good cause including presentation of satisfactory evidence that there have been final inspections on installations listed in the Notice of Hearing and that homeowners Cox, Conroy and Ferrell have been reimbursed.

KHARBAT, RAMZI MOHAMMED Wilmington, NC 9/18/01

License #20787 H-3-I

Allegations of incompetence in the business of heating contracting in that respondent failed to obtain a permit in violation of the North Carolina State Building Code; installed outdoor unit less than 3" above grade; failed to properly insulate suction line; reduced condensate drain; failed to properly connect outdoor unit to indoor unit; installed unit inside a closet with return air pulling from closet, failed to obtain an inspection; failed to insulate line-set; failed to perform a heat loss calculation; installed mismatched equipment in matching a Goodman to an old Intertherm; failed to follow accepted standards in system design, put unit into service without any inspections or permits; operated business under two names with one license, failed to install the unit to code creating a possible risk to owners of the residence. Respondent failed to obtain final inspections and allowed the permits to expire on 36 permits. Subsequent to the complaint and prior to and after the Summary Proceeding, the Respondent resolved most of the issues with the local inspection department.

New complaint files received and Amended Notice of Hearing issued.

Formal hearing held 3/28/02.

Order issued by the Board on 5/8/02 placing the license of respondent on probation for 18 months with provisions that Respondent have written contracts signed by licensee and customer for each installation for which licensee is responsible, obtain permits as required for each contract, maintain job files and service logs, within 120 days of the Order present evidence of passage of a Level 3 Mechanical Code Class, reimburse Board in the amount of \$450.00 to defray costs of investigation; within 60 days present a statement to the Board that final inspection has been made and passed and all inspection or reinspection fees are paid for each installation named in the Amended Notice of Hearing, implement procedures within his firm to assure that final inspection is requested within 5 days of substantial completion of installation, implement procedures to call for reinspection within 10 days after request for final inspection, visit each job site personally immediately before calling for any inspection, and commit no violation of Article 2, Chapter 87 or the Rules of the Board.

KLEIN, RALPH JOSEPH Bryson City, NC License #22995 2/13/01

Allegations of incompetence in the business of heating contracting in that respondent failed to obtain a permit prior to the installation of the gas line; failed to obtain a final inspection; failed to obtain any test on the gas piping; failed to install a trap on the condensate drain from the cooling coil; provided undersized combustion air for the gas furnace; used a two inch PVC bent pipe rather



than a three inch as required by the manufacturer's installation instructions; failed to install a sleeve where the flue pipe penetrated the outside wall; failed to use a cleaner/primer on the PVC flue and condensate drain piping glue joints; terminated the condensate drain outside without frost protection as required by manufacturer's installation instruction; installed undersized gas piping in that one half inch OD pipe runs about 46 feet and serves a 100,000 BTU gas furnace; installed a two stage regulator at tank and returned later and installed an additional second stage regulator which was not necessary for system; terminated flue pipe within four feet of gas regulator and electrical meter base in violation of manufacturer's installation instructions; removed one of flame rollouts switches; disconnected flame rollout switches; and installed return air duct so it is pulling return air directly from furnace room.

Consent Order issued 4/10/02 by the Board which suspended the license of respondent for a period of 2 months. Upon completion of suspension and return of license Respondent, license shall be placed on probation for 1 year with provisions respondent have written contracts signed by licensee and customer; obtain permits as required for each contract prior to commencement of work; enroll in and pass a course in Level 3 Mechanical Building Code (North Carolina Department of Insurance or equivalent), a course in personnel management and field supervision (NCAPHACC field supervision or equivalent), a course in Business Management and HVAC Customer Relations and a course in Fuel Piping installation or equivalent courses approved by staff of the State Board; make restitution to the Board in the amount of \$400.00 to reimburse a portion of the cost of investigation; implement procedures within his firm adequate to assure that final inspection is requested within 5 days of substantial completion of installation, implement procedures to call for reinspection, if necessary, within 10 days after the request for final inspection; and commit no violation of Article 2, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board. In the event of violation of the probation, license will be suspended for a period of 1 year.

OKEY, WILLIAM SUMMERSBY

Winston-Salem, NC License #23212-H-3-II 10/1/01

Allegations of incompetence in the business of heating contracting in that respondent installed an air duct which was undersized for a 3.5 ton system; located basement return duct in same room as boiler and water heater; installed a system with an inadequate air distribution for basement; failed to do a load calculation for basement; failed to adequately secure supply register in master bedroom; installed an undersized five inch copper low-pressure gas line; installed only one return air duct termination in a house exceeding 1600 square feet; failed to install a lenth in masonry foundation where ducts enter crawl space; failed to request a re-inspection for this installation; failed to provide documentation that heat pump condensing unit matches the coil; left water leaking from air handler; failed to properly secure air handler; and failed to obtain an electrical permit.

Final Order issued by the Board on 4/10/02 placed the license of respondent on probation for 6 months with provisions that Respondent have written contracts, obtain permits as required, enroll in and pass a 30 hour course in small business management and supervision, personally appear on each job site prior to or at execution of contract, immediately prior to rough-in and final inspection request and request reinspection within 5 days after any inspection turndown, maintain job files and service logs and records detailing his compliance with the provisions of this order and commit no violation of Article 2, Chapter 87 or the Rules of the Board.

OTTAWAY, RICKY NELSON

Oak Island, NC License #16566 H-3-I 7/23/01

Allegations of incompetence in the business of heating contracting in that respondent failed to design a system adequate for the application; failed to provide an adequate supply and return system for the master bedroom; utilized inadequate and inappropriate register grills; failed to provide adequate support for flexible ductwork; failed to size run-outs appropriately; installed a damaged condensing unit; failed to provide adequate insulation on refrigerant lines; failed to provide adequate air distribution; failed to perform adequate heat loss/heat gain calculations; and failed to provide maintenance of temperature within the temperature ranges as set forth in the ACCA Manual J and Manual D and incorporated in the Building Codes of the State of North Carolina.

Formal hearing held 3/12/02.

Order entered by the Board on 3/25/02 revoking the license of respondent and providing for reinstatement of license after 90 days on

condition that respondent carry out all necessary corrections to installation at the residence in the Notice and obtain a letter addressed to the Board finding that the system functions to accepted design standards and temperature range and dehumidification in both heating and cooling cycle.

OWEN, JAMES E.

Brevard, NC License #10082 10/9/01
Allegations of misconduct and peddling license in the business of plumbing contracting in that respondent permitted use of his license in connection with acquisition of permit for performance of a contract even though respondent was not a party to the contract.
Summary Procedure held 2/12/02.

Final Order issued by the Board 4/10/02 which placed the license of respondent on probation for 6 months with provisions that respondent have written contracts, obtain permits as required, personally appear on each job site prior to or at execution of contract, immediately prior to rough-in inspection request and immediately prior to final inspection request and request reinspection within 5 days after any inspection turndown, purchase no permit except for jobs where he has a written signed contract to perform work and receive payments, maintain job files and service logs and records detailing his compliance with the provisions of this order and commit no violation of Article 2, Chapter 87 or the Rules of the Board.

POTTS, FRANK

Mount Airy, NC 2/20/02
Plumbing contracting without license.

Summons and Complaint filed 3/08/02.

Service of Process – served in person 3/12/02.

Permanent injunction entered 5/06/02 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor.

PRICE, WILLIAM DAYTON, JR.

Roaring River, NC License #16475 H-3-II 5/8/01

Allegations of incompetence in the business of heating contracting in that respondent failed to install the flue condensate piping in accordance with manufacturer installation instructions; installed PVC flue piping terminating outside within four feet of an operable window; installed PVC flue pipe terminating within 12 inches to grade; failed to install a light and receptacle at the furnace for servicing; and failed to obtain timely permits and inspection. Subsequent to the complaint in this matter, Sears removed the system and refunded all funds to property owners who executed a release.

Consent Order issued by the Board 4/10/02 revoking the license of respondent and, with his consent and pursuant to authority in G.S. 87-24, license will be reinstated after 90 days upon reimbursement of the Board in the amount of \$400.00 to defray cost of investigation. Respondent is admonished of necessity to provide adequate supervision of personnel, of the necessity to exercise professional judgment as to equipment sizing and duct design and of the necessity to personally examine each site prior to each request for final inspection.

RAGAN, CLARENCE WESLEY

Charlotte, NC 2/20/02
Allegations of heating contracting without license.

Summons and Complaint filed 3/05/02.

Permanent injunction entered 4/29/02 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor.

REICH, HENRY

Walnut Cove, NC 1/29/02

Allegations of plumbing contracting without a license.

Summons and Complaint filed 2/08/02.

Permanent injunction entered 4/29/02 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor.

SAWYER, LARRY

Edenton, NC 10/4/01

Allegations of heating contracting without a license.

Summons and Complaint filed 12/31/01.

Permanent injunction entered 5/02/02 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor.

WALLACE, MICHAEL JAMES

Charlotte, NC 12/27/01

Allegations of heating contracting without a license.

Summons and Complaint filed 1/14/02.

Permanent injunction entered 4/19/02 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor.

WALSTON, OTIS BERNARD Rocky Mount, NC 7/16/01
FTE, WALSTON'S PLUMBING, #2

Allegations of plumbing contracting without a license.
Summons and Complaint filed 8/24/01.
Service of Process – served via certified mail 10/11/01.
Entry of Default filed 11/16/01.
Permanent injunction entered 5/06/02 enjoining Defendant from engaging in business as a plumbing, heating or fire sprinkler contractor

WARD, JAMES EDWARD Memphis, TN 10/1/01
License #15149 H-3-II

Allegations of incompetence in the business of heating contracting in that respondent failed to seal the take-off collar; used improper flexible duct connection; flexible ductwork had more than one-half inch per foot of sag; improper flexible ductwork radius, which does not meet the Air Diffusion Council recommendations; ductwork covered up prior to inspection; used improper flexible duct connections; installed undersized return air ductwork for a two ton unit; failed to seal the refrigerant piping at the evaporator coil; installed undersized ductwork; failed to perform gas test on gas piping; used improper brazing materials on gas piping joint.

Summary Procedure held 2/12/02.

Final order issued 4/10/02 suspending the license of respondent for a period of 1 year.

Publisher Sandra O'Brien, Executive Director

Editor Scott Waterhouse

Return Requested
**STATE BOARD OF EXAMINERS OF
PLUMBING, HEATING & FIRE
SPRINKLER CONTRACTORS**
1109 Dresser Court
Raleigh, NC 27609



ATTENTION LICENSEES

NEW ADDRESS:

**State Board of Examiners of
Plumbing, Heating & Fire Sprinkler Contractors**
1109 Dresser Court
Raleigh, NC 27609

CHANGE OF ADDRESS

The Board's rule, 21 NCAC 50.0408 (c) reads as follows:

(C) The licensee shall notify the Board of any change in location or mailing address from that shown on the last license renewal invoice within 30 days after the change takes place.

The above rule requires you to notify the Board of a change of address within 30 days after the change takes place. Compliance with this rule benefits you and the Board. The Board is able to keep its records up to date if you notify the office of an address change. The Board is also able to keep you up to date if it has your correct address. Through the newsletter, the Board notifies you of new requirements for licensed contractors, code amendments, educational opportunities, public rule hearings that may affect you, and much more. The newsletter will not get to you if the Board does not have your correct address. The Board notifies you when your license is going to expire and sends you an invoice. This invoice will not get to you if the Board does not have your correct address.

Changes must be in writing with your signature.

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Email: info@nclicensing.org

Fax: 919/875-3616

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