



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

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A. G. Williams, Chairman

P. K. Selby, T. G. Proffit, H. W. Stanford III, H. J. Summey, R. M. Boone, S. K. Hensley

Exemption for Fire Alarms

The Board has received several inquiries from firms involved in the installation or maintenance of fire alarm systems, asking if fire alarm systems are affected by the requirements for fire sprinkler maintenance or inspection.

The background is that security alarm systems are regulated by Chapter 74D of the General Statutes and relate to systems involving burglar alarms, cameras used to detect burglary, intrusion, shop lifting or theft. Fire alarm systems are exempt from regulation by the Alarm Systems Licensing Board under G.S. 74D-3(2).

This Board licenses contractors involved in the installation, service and periodic inspection of fire sprinkler systems. Fire sprinkler systems are defined in G.S. 87-21(a) (11). In general, fire sprinkler systems include water-based automatic or manual sprinkler systems designed to protect the interior or exterior of a building from fire. These systems may include wet pipe, dry pipe, pre-action, water spray, foam water spray, non-freeze and closed loop systems. The definition of fire sprinkler systems does not include fire alarms which have no effect on the operation of the sprinkler system. Thus fire alarm systems are usually exempt from regulation by the Board.

Many times, the fire sprinkler contractor who designs and

installs a fire sprinkler system will provide a point of connection where the provider of a fire alarm system can connect its alarm, in order that the alarm may sound or warning be transmitted when water begins to flow through the fire sprinkler system or a valve begins to close.

Where the fire alarm contractor simply connects a fire alarm system to the switches provided by the fire sprinkler contractor, the fire alarm contractor is not required to be licensed by this Board in order to carry out the work of a fire alarm contractor. In the initial fire alarm test certification, the sprinkler contractor may operate the switches to verify functioning. After initial certification, the alarm system contractor can test the switches and verify operation of the alarm system without license as a fire sprinkler contractor being required. On the other hand, if the installation service or testing of a fire alarm system requires resetting of the fire sprinkler system, or the fire sprinkler system is something other than a wet-pipe fire sprinkler system, (dry, deluge, preaction, etc) then appropriate fire sprinkler personnel must be involved in the process or the fire alarm contractor must meet the requirements of this Board for licensure as a fire sprinkler contractor.

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Continuing Education Update

The 2006 renewal cycle is just around the corner and there are many licensees who haven't taken continuing education to renew their licenses. It is important that you understand that a license can not be renewed without completing the continuing education requirement.

Please take the time now to find classes near you so that you won't have a problem renewing your license.

To find courses for your license go to

our website at www.nclicensing.org. Click on "CE classes" and search for dates, times and locations.

Currently there are hundreds of courses being held all across the state. However, if you wait until the end of the year you may have to travel an extended distance to attend classes.

If you have questions contact Scott Waterhouse at the Board's office for assistance.

Preparing for Examinations

Information for contractors who have employees seeking to take exam for licensure.

As most of you know whether by experience or through the grapevine our examinations have changed. A business examination was added in August 2003 making our examinations two part.

There are a few things to consider when taking the business exam: do the easiest problems first, don't stay on a problem that you are stuck on, your dealing with limited time.

Always read the whole question carefully, don't make assumptions about what the question might be, don't read anything into it. If you don't know an answer skip it, maybe further on you'll see something that will help you answer that question.

For the technical part of your exam the same rules apply. The most important thing to remember is always read the whole question before you select an answer.

If you have failed an exam attend the review, you'll receive a copy of your strengths & weaknesses, which you can use as a study guide for your next exam. Plus you'll get a chance to actually see the questions you missed.

Before making the decision to take an exam make sure you have taken courses if necessary, purchased the proper books and have the experience required for approval to take an exam. If ever in doubt about any of the above please contact the Board.

Please review the results below to understand why it's important to prepare for exams.

Testing results from January 1 through June 30, 2005

Fuel Piping	31 failed	6 passed
H3II	31 failed	11 passed
H3I	112 failed	50 passed
H2	19 failed	17 passed
H1I	7 failed	5 passed
PII	59 failed	13 passed
P1	130 failed	59 passed



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some important
information.**

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1109 Dresser Court
Raleigh, NC 27609

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ATTENTION LICENSEES

2006 Is A Mandatory CODE YEAR

**All Plumbing, Heating, Fuel Piping
and Grandfathered Fire Sprinkler
licensees are required to take
4 of the 6 CE hours
in North Carolina
Code Changes & Amendments**

CE UPDATE

NC Code Books Now Required At All CE Code Courses

The year 2006 will be a mandatory code year for all plumbing, heating, fuel piping and grandfathered fire sprinkler contractors. Meaning, each licensee will be required to take a minimum of 4 of the 6 continuing education hours in North Carolina code changes and amendments.

Since codes are such a vital part of a contractors business licensees attending code related courses are now required to have code books at all code courses being taught by approved course providers. Course Providers offering code courses will list in their course advertisements and other promotional material the specific code volumes required for each code course and admonish attendees to bring their copies of the appropriate code books to the class. Do not rely on Course Providers to have books available without first checking with them.

Beginning January 1, 2006 it will no longer be acceptable to attend a code course without the required code books; attendees will have to buy them there (if available) or go home.

Mechanical Code, Fuel Gas Code, and Energy Code Interpretations on the Web

The NC Department of Insurance has begun placing interpretations of the 2002 NC Building Code On-line on the DOI website. These interpretations can be viewed, downloaded, and printed. The website address for the DOI interpretations is:
<http://www.ncdoi.com/osfm/Engineering/interpretations.asp>.

The address for the general NC DOI website is <http://ncdoi.com>.

Interpretations are included for the Mechanical, Gas, Energy, and Plumbing Codes as well as the other volumes of the NC Building Code.

You are encouraged to visit the site for information on status of proposals to the Building Code Council, Building code Council meeting agendas and meeting minutes, codes on-line, and other important information can be viewed from the website.

FLASH - CONTRACTORS DEFAULT ON JOBS

**Don't let this happen to you.
Renew Your License on Time.**

Preparing to renew your license:

- ☞ Renewals to be mailed to licensees **November 2005**
- ☞ Fill out renewal form completely.
- ☞ Renewals must be returned to Board office by Dec. 31, 2005.
- ☞ Continuing Education (CE) hours **must** be completed to renew license for 2006.
- ☞ Fire Sprinkler Inspection Technicians do not need continuing education hours but NICET II Certifications in Inspections & Testing must be sent in to renew.
- ☞ Master license holders need to verify that their sub-licensees have completed CE requirements in order to renew license.
- ☞ Licenses obtained by NICET must send a copy of appropriate current NICET certification.
- ☞ Code Inspectors are to send a copy of their current inspector card(s) with renewal form.
- ☞ Licensees who first obtained their license in 2005 do not need continuing education for 2006. Continuing education requirements will be necessary for 2007 renewal and each year thereafter.

Attorney's Report

BARKLEY, MICHAEL STEVEN, President BARKLEY HEATING & COOLING, INC.

Davidson, NC

License #14578 H-3-I

Respondent installed a heating group 3 system including ductwork, electrical wiring reconnect and LP kit, obtained the permit in the name of Quality Systems of the Carolinas, LLC. The firm represented the system failed as a result of lightning damage and insurance would pay for it, and installed the system with ductwork deficiencies and code violations.

Formal hearing held 2/15/05.

Order issued 3/10/05 placing the license of respondent on probation for 6 months with provisions that respondent maintain a written record of contracts made and installations performed, maintain a service log of all contracts and service calls, maintain job files or other written records; have written contracts signed by the Respondent and customer, obtain permits as required for each contract within 6 months of effective date of Order, enroll in Contractor Business Disciplinary Course and obtain a passing grade by the end of the probation period and commit no violation of Article 2, Chapter 87 or the Rules of the Board.

BARNETT, SEAN PATRICK Eagan MN 10/25/04 d/b/a NORTHSTAR FIRE PROTECTION, INC.

Allegations of misconduct in the business of fire sprinkler contracting in that respondent bid or contracted in the name United Sprinkler, a name other than the name in which license was issued, rendering the contract voidable, attempted to do business in more than one name, failed to obtain a permit before commencing work for which a license is required, failed to provide adequate on-site supervision and failed to provide information to the Board investigator or Board Review Committee but continued the project to completion.

Formal hearing held 2/15/05.

Consent Order issued 2/15/05 placing the license of Sean Patrick Barnett and Northstar Fire Protection, Inc. as a Fire Sprinkler contractor on probation for two years with provisions that Respondent maintain written records of contracts, maintain service log of contracts and service calls by date of initial call and include date of first response; maintain job files and other written records, have written contracts signed by respondent and customer for each installation, obtain permits as required for each contract, during period of probation submit quarterly reports advising the Board of any jobs undertaken or bid in North Carolina and commit no violation of Article 2, Chapter 87 or Rules of the Board.

CHILDERS, MARK Individually and d/b/a CHILDERS PLUMBING AND DRAIN CLEANING

Stoney Point, NC

Plumbing contracting without a license.

Judgment of Permanent Injunction entered 3/2/05 in Iredell County Superior Court enjoining defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed by the Board.

COOK, CLARENCE d/b/a COOK'S PLUMBING

Broadway, NC

Plumbing contracting without a license. Judgment of Permanent In-

junction entered 2/16/05 in Lee County Superior Court enjoining defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed by the Board.

HORTON, DALE Staley NC 10/18/04

Contempt of prior order of the Court by heating contracting without a license.

Contempt hearing held 3/7/05.

Order of Contempt entered 3/10/05 by the Court finding the defendant in contempt of court and ordering his arrest and confinement to the Randolph County Jail for a period of 30 days.

MERKEL, JEROME PATRICK 10/25/04 d/b/a MERKEL SPRINKLER, INC. Plymouth, MN

Allegations of misconduct in the business of fire sprinkler contracting in that respondent, bid or contracted in the name United Sprinkler, a name other than the name in which license was issued, rendering the contract voidable and attempted to do business in more than one name.

Formal hearing held 2/15/05.

A Consent Order was issued 2/15/05 placing a reprimand on the license record of respondent, Jerome Patrick Merkel and of Merkel Sprinkler, Inc. and United Sprinkler d/b/a Merkel Sprinkler.

MILLER, JAMES Albemarle NC License #16824 PH-3-I d/b/a MILLER ELECTRICAL & PLUMBING CO.

Heating and plumbing contracted on Respondent's license. Respondent is responsible for code violations and abandonment of the plumbing installation, left the cleanout at the junction of the building drain and building sewer too high; failed to protect the water distribution piping at the structural member; failed to complete the fixture drain; failed to properly support PEX water piping and installed it through several floor joists without hangers; failed to complete and protect the drainage/waste/venting system and failed to prime or clean it prior to gluing; left a kink in the water line where it exits the sleeve; left building drain line and building sewer cleanouts too high; failed to complete the main 3" vent through the roof; failed to insulate or seal ductwork; installed plenum for filters sized to fit two 20" x 24" filter grilles which are undersized for filter area required for maximum of 450 FPM; failed to seal or rodent-proof ductwork opening through the wall; installed 18" diameter supply spiral ductwork which is undersized for a 5-ton system for which Code requires a minimum 22" diameter; failed to install refrigerant piping for the split system unit to serve the toilet/kitchen area; failed to seal or insulate supply register boots; installed flexible ductwork radius too tight around floor joist; failed to duct the exhaust fan; failed to properly support the flexible ductwork; and failed to install coil inside air handler.

Formal hearing held 1/11/05. Order issued 2/1/05 revoking the license of respondent to engage in business as a plumbing or heating contractor.

NEWMAN, CLARENCE BRUCE, JR. 8/30/04

Cedar Mountain, NC

Contempt violations of prior Order of the Court.

Contempt hearing held 2/7/05.

Order of Contempt and Arrest executed by Judge Bridges and filed

Attorney's Report

on 2/17/05 finding the defendant in contempt of court and ordering him to be arrested and confined to the County Jail of Transylvania County for 2 days.

TALBERT, LARRY WAYNE, FTE ABSOLUTE SERVICE, INC.

License #14247 H-3-I

Allegations of misconduct in the business of heating contracting in that respondent contracted to install a heating, air conditioning and plumbing system, abandoned the job, and attempted to use the license of Wade Sarratt without his knowledge in an effort to obtain inspections and permits. contracted the installation while his Heating Group 3 license was expired, left the cleanout at the junction of the building drain and building sewer too high; failed to protect the water distribution piping at the structural member; failed to complete the fixture drain; failed to properly support PEX water piping and installed it through several floor joists without hangers; failed to complete and protect the drainage/waste/venting system and failed to prime or clean it prior to gluing; left a kink in the water line where it exits the sleeve; left building drain line and building sewer cleanouts too high; failed to complete the main 3" vent through the roof; failed to insulate or seal ductwork; installed plenum for filters sized to fit two 20" x 24" filter grilles which are undersized for filter area required for maximum of 450 FPM; failed to seal or rodent-proof ductwork opening through the wall; installed 18" diameter supply spiral ductwork which is undersized for a 5-ton system for which Code requires a minimum 22" diameter; failed to install refrigerant piping for the split system unit to serve the toilet/kitchen area; failed to seal or insulate supply register boots; installed flexible ductwork radius too tight around floor joist; failed to duct the exhaust fan; failed to properly support the flexible ductwork; and failed to install coil inside air handler.

Formal hearing held 1/11/05.

Order issued 2/1/05 revoking the license of respondent to engage in business as a heating contractor.

TRUELOVE, ROBERT L.

Research Triangle Park, NC

Hearing held 7/13/04.

Order issued by the Board 8/6/04 denying the reissuance of heating group 3 license and denying application of respondent, Robert Truelove, to sit for the heating group 3 examination. The plumbing license of Respondent Robert Truelove and Respondent Piedmont Metro Aire-Serve, is placed on probation for 1 year during which probation Respondents Truelove and Piedmont Metro shall employ the Heating Group 3 contractor, obtain a written contract signed by both the licensee and the property owner prior to commencing work on all projects requiring license, maintain a service log and job files, obtain permits as required, request all inspections within 10 days of substantial completion of the work, obtain no more than 2/3 payment of the contract price prior to having passed final inspection; complete jobs that were contracted and started prior to the effective date of this Order, forward to the Board within 5 days of the effective date of this Order a complete list of all active jobs that were contracted, permitted and started prior to the effective date of this Order; obtain and pass final inspection on all projects listed as open permits in the records of the cities of Durham, Raleigh, Cary and of Wake County contained in Exhibits 49, 50, 51, and 56; neither

create, operate, manage, be employed by or control any new corporate entity involved in plumbing, heating or fire sprinkler contracting and commit no violation of Article 2, Chapter 87 or the Rules of the Board.

Appeal filed in Durham County Superior Court.

Consent Order issued 3/22/05 denying the application of Respondent, Truelove, for reissuance of Heating Group 3 license and to sit for the Heating Group 3 examination. The license of Respondent, Truelove and firm, Piedmont Metro Aire-Serve, as plumbing contractors is placed on probation for one year with provisions that respondents; obtain written contract signed by both licensee and owner prior to commencing work on all projects, provide a signed copy to property owner and maintain a copy in job file; maintain service log of all contracts and service calls, maintain job files or other written records of contracts, obtain permits as required for each contract, request all inspections within 10 days of substantial completion of work; obtain no more than 2/3 payment of contract price prior to job passing final inspection; complete jobs contracted and started prior to effective date of this Order, forward to Board within 5 days of the effective date of this Order a complete list of all active jobs contracted, permitted and started prior to the effective date of this Order; obtain and pass final inspection on all projects listed as open permits in the records of the cities of Durham, Raleigh, Cary and of Wake County; employ no Heating Group Three licensee from effective date of this Order for a period of six months and thereafter until all open inspections from March 3, 2003 to the present have received and passed final inspection by local code enforcement official. Thereafter the company will be allowed to hold Heating Group Three license based on qualifications of licensee who will execute all contracts and assure all inspections, while completing the inspections set out above; neither create, operate, manage, be employed by or control any new corporate entity involved in plumbing, heating or fire sprinkler contracting; and commit no violation of Article 2, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board. The licenses of Respondents Kenneth Littleton, William Tatum and Patrick Henderson to engage in business as heating contractors shall be placed on probation for one year with provisions respondents obtain a written contract signed by both the licensee and the property owner prior to commencing; maintain a service log of all contracts and service calls by date of initial call and including the date of first response; maintain job files or other written records of contracts made and installations performed; obtain permits as required for each contract prior to commencement of work; request all inspections within 10 days of substantial completion of the work; and obtain no more than 2/3 payment of the contract price prior to the job having passed final inspection. Failure by Respondents Little, Tatum or Henderson to comply with the terms of their probation shall result in a suspension for one year. With respect to Respondents Tatum, Henderson and Littleton, this Order became effective September 5, 2004. With respect to Respondents Truelove and Piedmont Metro, this Order became effective October 1, 2004.

Notice of Voluntary Dismissal filed 4/5/05 dismissing the Administrative Appeal filed by Mr. Truelove.

Attorney's Report

TURNER, GARLAND EUGENE

7/6/04

d/b/a ANOINTED HANDS PLUMBING

License #24368 P-II

Winston-Salem, NC

Respondent failed to perform test on the DWV System; failed to properly support the building drain; failed to remove backwater valve; failed to install 4" cleanout for sewer; failed to install 18" cover for sewer pump; failed to install a vent sump; failed to adequately protect pump against weather; and after 5 inspections, job has still not passed sewer inspection. As a result of Respondent's work local code enforcement officials performed approximately 15 inspections with the following code violations; venting was installed incorrectly; failed to leave 10 foot head on test for drain, waste and vent piping; failed to vent 3" 'P' trap in garage area and failed to connect to sanitary drainage system; installed sections of 4" and 3" drain back graded; installed 10 head water test down; on the third trip inspector noted he helped plumber get fall on pipes in order to pass inspection; installed rough-in for a 3" wye fitting in drain line in basement back graded; failed to stop a leak on PVC DWV 3" coupling; failed to install main; committed other code violations on multiple inspections too numerous to count; inspector's notes indicated poor workmanship; incorrectly installed one inch main; 3" drain in basement still has improper grade; failed to install nail guards throughout job; failed to properly support 1/2" Pex water piping; left a leak on 2" PVC stack; improperly installed vent in attic; left a waste leak in tub; drilled a 2-9/16" hole through a 2x4 stud; installed a dry vent connected to the vertical drain on first floor of a 2" drain stack serving laundry tub on second floor; installed several hangers improperly not allowing proper alignment of pipe; left many PVC glue joints leaking and extra glue wiped on top of existing glue joint; installed many glue joints improperly aligned with the pipe, putting glue joint under stress; installed improper Firestopping where several PVC pipes penetrate the floors; installed several areas of horizontal drainage piping with back graded or with inadequate grade; installed a dry horizontal vent below flood level rim without having been washed; installed improper hanger spacing on several horizontal PVC drains; improperly installed PEX water lines; failed to provide proper support at base of several PVC DWV stacks; notes of inspector indicated that overall it was poor workmanship on the complete DWV and water distribution system; 3" x 3" x 2" wye drainage fitting located in basement was installed back graded; 3" x 3" x 2" wye listed in previous item was also leaking while under a water test; failed to properly support 2" drain serving upstairs double lavatory; installed a whirlpool tub with a leak; strapped PEX piping to outside band board without having been insulated; and failed to provide adequate supervision and allowed incompetent and unprofessional personnel on the job.

Formal hearing held 1/10/05. Order issued by the Board 2/1/05 revoking the license of Garland Eugene Turner and Anointed Hands which revocation is stayed for one year and Respondent is placed on probation with provisions that Respondent within six months after this Order becomes effective, enroll in the Board Business Disciplinary course or equivalent of the State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors and present evidence to the Board of a passing grade in such course within twelve months; Respondent is admonished the course will be given in March, 2005, and may not be given again for more than six months; within six months the Respondent shall enroll in a Level I Plumbing Code class sponsored by the Department of Insurance Code Officials Qualification Board and shall present the Board with a passing grade by the end of the probation; maintain a written record of contracts made and installations performed; maintain a service log of all contracts and service calls by date of initial call and including the date of first response; maintain job files or other written records of contracts made and installations performed; have written contracts signed by the Respondent and customer for each installation for which Respondent is responsible and which have a total plumbing project cost greater than \$100.00; obtain permits as required for each contract prior to commencement of work and maintain a copy of the permit in each job file; personally visit each job site immediately before each inspection request; pass at least 80 percent of rough-in inspections and

80 percent of final inspections without any reinspection; during the period of probation, Respondent shall submit quarterly reports including a copy of all the foregoing documents and documenting his compliance with the provisions of this probation order by sending them directly to the Board's office; and, commit no violation of Article 2, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board.

YOUNG, JAMES BRIAN

09/03/04 Waynesville, NC

d/b/a YOUNG PLUMBING

Plumbing contracting without a license. Motion for Extension of Time to Answer to 1/9/05 filed by counsel for Defendant.

Permanent Injunction Judgment filed 3/24/05 in Haywood County Superior Court enjoining defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed by the Board.

FARROW, DARRELL

d/b/a FARROW & SON'S WELDING & MAINTENANCE SERVICE

Gastonia, NC

Allegations of heating contracting without a license. Complaint and Summons filed 2/11/05 with Gaston County Superior Court.

Permanent Injunction Judgment filed 5/22/05 enjoining defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed by the Board.

HENDERSON, PATRICK SHAWN, Owner

CENTRAL HEATING & AIR

License #22587 H-3-I

Clayton, NC

Allegations of misconduct and incompetence in the business of heating contracting multiple installations in that respondent failed to comply with the terms of probation order issued 8/6/04; and in the course of attempting to perform a contract for installation, respondent collected the full balance of the contract prior to the job passing final inspection, failed to request the inspection until after the homeowner called the City of Raleigh Inspections Department, refused to return calls or respond to inquiries from the homeowner, failed to complete the installation despite the contract balance being paid in full; failed to properly elevate flex duct 4" off the ground; failed to seal opening in foundation for flex duct; failed to properly secure and retest gas line connection to meter; failed to use proper clamps in strapping gas piping under house; failed to insulate sheet metal on return at gas pack unit; left duct lining hanging in travel path of duct; failed to pipe condensate away from gas pack unit; failed to properly sleeve and support gas piping and located piping in such a manner as to block access to service panel; located elbow of gas piping approximately 5 ft. from wall; failed to incorporate sediment trap as a change of direction; failed to properly paint a portion of gas line connection; failed to properly secure sheet metal rain shield; failed to utilize panduit strap or tape over vapor barrier on flexible duct; used strapping on ductwork which was less than minimum 1.5" width; failed to use a lenti to support penetration of concrete block foundation; failed to properly insulate sheet metal supply boot; failed to properly wrap inner liner of flex duct; installed flexible duct in such a way as to cause a restriction; used a supply feeding sheet metal distribution box with a square inch opening of 113.04 sq. in. as compared to the 197.82 sq. in. opening of 7 supply ducts; failed to properly join sheet metal take-off fitting and panned sheet metal; left a hole in vapor barrier of flex return air duct; installed CSST gas piping through foundation without a sleeve; failed to properly seal rain shield between house and gas pack; failed to use proper size pad for unit; failed to properly align orifices with burner tubes; left a screw driver inside unit at gas valve; failed to properly install grommet for gas line; connected return flex duct to an uninsulated piece of sheet metal; failed to utilize either two wraps of tape or a panduit strap on outside of flex duct; installed thermostat wiring so it was lying on ground; improperly spliced thermostat wiring; utilized a return undersized by 26.14 inches; failed to obtain proper permits and inspections. Formal hearing held 5/10/05.

Order issued by the Board on 5/18/05 revoking the license of respondent as a Heating Group 3 contractor both individually and in the name of Central Heating & Air.

Attorney's Report

KING, HUBERT

Fuquay-Varina, NC

KING'S BETTER HOME & RENTAL IMPROVEMENT

Allegations of plumbing contracting without a license filed with Wake County Superior Court. Permanent Injunction Judgment filed 4/7/05 with the Wake County Superior Court enjoining defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed by the Board.

PEARSON, DOUG

PEARSON CONSTRUCTION

2/17/05

Fountain NC

Allegations of heating contracting without a license.

Complaint for injunction filed on 3/4/05 at Wilson County Superior Court. Permanent Injunction Judgment filed with the Clerk on 4/18/05 enjoining defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed by the Board.

TOBOL, JEFFREY

d/b/a PLUMBING SPECIALIST

11/15/04

Burnsville, NC

Allegations of plumbing contracting without a license.

Permanent Injunction Judgment filed with the Clerk on 4/14/05 enjoining defendant from engaging in business as a plumbing, heating or fire sprinkler contractor until properly licensed by the Board.

WALTON, HOMER LEE

d/b/a WALTON PLUMBING

License #23319

1/19/05

Hendersonville, NC

Allegations of incompetence in business of plumbing contracting in that Respondent collected the total amount of a contract and failed to com-

plete the installation, installed the P & T piping located below flood level rim of water heater pan without an air gap; replaced PRV and some piping but failed to replace globe valve, claiming inability to find a main shut-off valve outside building; failed to properly support 3/4" Pex pipe in violation of the North Carolina State Building Code; cut a floor joist during relocation of water closet drain line; failed to use purple primer on PVC glue joints; failed to properly align fitting hub and pipe; constructed a flue joint without purple primer and mixed bits of floor insulation in with flue during glue joint construction; spaced Pex hangers on 1/2" pipe too far apart; used poor workmanship on hot and cold water supplies for old lavatory which was discontinued and connected a new Pex line feeding another fixture; installed a 3" drain for the water closet back graded; failed to use a long sweep elbow at the closet drop for water closet in violation of the North Carolina State Building Code; attempted to support Pex piping with HVAC duct and spaced support for recirculating loop too far apart; failed to insulate recirculating loop properly; failed or refused to respond to homeowner's calls for service; and abandoned the project. Order was issued by the Board on 4/20/05 suspending the license of the Respondent as a plumbing contractor for a period of 6 months and ordering the Respondent to submit evidence to the Board within the six month period that he has reimbursed the complainant, Kaarin Soma as previously agreed and remains actively involved with a program for control of substance abuse without relapse and is in compliance with recommendations of his health care professionals.

Continued on page 8

Consent Agreement Report

Permit Warning Letters

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>
Aldaya, John	Wendell, NC	02/10/2005
Bain, James	Wade, NC	01/26/2005
Banjak, Andrew	Sunset Beach, NC	03/31/2005
Battle, Lewis	Nichols, SC	01/24/2005
Brown, Benjamin	Rockingham, NC	03/09/2005
Bryant, David	Semora, NC	03/15/2005
Bullock, Samuel	Henderson, NC	04/20/2005
Butler, Scott	Conover, NC	06/20/2005
Cecil, Ronald	Rock Hill, SC	05/09/2005
Garcia, Ronald	Fayetteville, NC	04/01/2005
Gauldin, Harold	Eden, NC	03/10/2005
Gillespie, David	Louisburg, NC	04/14/2005
Grayson, John	Winston Salem, NC	05/31/2005
Hurd, Gary	Kodak, TN	01/05/2005
Jordan, Richard	Louisburg, NC	04/14/2005
Luski, Isaac	Charlotte, NC	02/03/2005
Maney, Verlin	Gastonia, NC	05/18/2005
McDonald, Michael	Jamestown, NC	06/28/2005
Meyers, James	Greensboro, NC	03/14/2005
Neal, Thomas	Rural Hall, NC	03/06/2005
Petway, Festus	Elm City, NC	04/13/2005
Purvis, Mark	Greensboro, NC	03/10/2005
Rivers, Timothy	Burlington, NC	07/11/2005
Strader, James	Bermuda Run, NC	05/31/2005
Strickland, Danny	Henderson, NC	04/20/2005
Thompson, Larry D	Lexington, NC	04/18/2005
Thornburg, Tom	Charlotte, NC	04/15/2005
Westberry, Jerald	Albemarle, NC	04/13/2005
Yelton, Ralph	Hickory, NC	01/11/2005
Zarza, Juan	Pineville, NC	02/02/2005

<u>Name</u>	<u>City/Town</u>	<u>Permit Warning</u>
Aubertine, Dale	Monroe, NC	05/09/2005
Baker, Randy	Middlesex, NC	04/13/2005
Beaver, Darrell	Canton, NC	04/25/2005
Brown, Richard	New Bern, NC	06/23/2005
Chopelas, Christopher	Indian Trail, NC	05/06/2005
Daniels, Willie	Wilmington, NC	06/29/2005
Devaney, Wesley	Raleigh, NC	02/11/2005
Drew, Richard	Myrtle Beach, SC	03/31/2005
Edwards, Joseph Jr.	Kernersville, NC	06/23/2005
Hardee, Wilber	Greenville, NC	12/17/2004
Hope, David	Henderson, NC	06/15/2005
Jones, Douglas	Wendell, NC	06/17/2005
Jordan, Jeffrey	Rocky Mount, NC	02/28/2005
Kocher, Ronald	Parkton, NC	04/01/2005
Kocsis, Russell J.	Stanley, NC	05/19/2005
Lathan, Isaac	Fayetteville, NC	04/01/2005
Maryland, Soloman	Rocky Mount, NC	04/13/2005
Matthews, Robert Jr.	Garner, NC	02/11/2005
Mayton, Kerry	Graham, NC	06/23/2005
McCoy, Richard	Charlotte, NC	06/20/2005
Moser, Roy	Raleigh, NC	06/16/2005
Parker, David	Matthews, NC	06/01/2005
Peters, Seth	Greensboro, NC	03/15/2005
Race, Randall	Indian Trail, NC	05/19/2005
Rust, Robert	Paw Creek, NC	01/31/2005
Shaw, Steven	Charlotte, NC	05/26/2005
Sink, Carlton	Denton, NC	04/21/2005
Skidmore, Dwight	Stanley, NC	05/12/2005
Smith, Charles	Asheboro, NC	04/21/2005
Spencer, John	Midland, NC	02/01/2005
Wall, James	Greensboro, NC	03/15/2005
Walters, David	Wagram, NC	05/31/2005
Wilson, Donald	Raleigh, NC	04/21/2005
Yates, Gary	Fayetteville, NC	01/05/2005

SPECIAL NOTICE

Please do not send in checks without the appropriate paperwork included (i.e. renewal forms, trade name changes & etc.). Staff will automatically send the checks back which will delay processing.

If you do not have the correct form please contact the office for assistance.

Licenses Retiring at the End of 2005

If your license has been expired since 2002, you have until December 31, 2005 to renew it. Failure to renew the license will result in it being retired and you would have to retake the exam to get it back. Also, to renew the license all continuing education requirements must be met as well.

Renewals To Be Mailed Out November 1, 2005

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



**If You Would Like To Be Removed
From The Board's Mailing List,
Please email us at:
info@nclicensing.org**

Attorney's report con't. from page 7

Walston, Rudolph

Wilson NC

Violation of prior Order of the Court by contracting without license. Order of Contempt was filed 3/30/05 finding Defendant in contempt of prior Order of the Court, sentencing him to be incarcerated in the Nash County Jail for a period of 30 days, 16 days of which were suspended on condition Defendant pay \$500.00 to the Clerk of Nash County Superior Court by 3/21/05 for the benefit of the homeowners, Mr. and Mrs. Shaut and also pay to the Clerk of Nash County Superior by 9/1/05, the sum of \$4,350.00 as restitution to the homeowners. The Court permitted service of the 14 days in jail over a series of weekends.

Publisher Sandra O'Brien, Executive Director

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