



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

March 2023

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

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www.nclicensing.org

The Importance of Sub-licenseses

Under the Board's laws and rules, the licensee is responsible for all activities which require a license, including but not limited to: bids, quotes, contracts, permits, supervision of work in progress, and inspection requests. This person is known as the qualifier, whether they are conducting business in their personal name or serving as a qualifier for a firm. If qualifying a firm, the licensee's qualifications are extended to the firm (plumbing, heating, fuel piping, fire sprinkler, etc.)

The laws and rules also allow for sub-licenseses, which may be another licensed contractor or licensed technician. Any qualifications that the sub-licenseses hold also extend to the firm, even those which the qualifier may not hold. The sub-licenseses can also perform the supervision duties that are required of the qualifier. There is additional information concerning this near the end of this article.

If a qualifier or sub-licensee leaves the firm, or is unable to perform the required duties due to injury, illness, death, military leave, family medical leave or any other reason, the firm may not engage in any activities which require that individual's qualifications unless there is another licensed person in the firm who also holds those qualifications. Let's look at some examples:

Example 1: QRS Plumbing is qualified by Joe Queen, who holds a P-I license. The family owned and operated firm has 10 employees, including Joe's wife, his two sons and their wives, and his two daughter's and their husbands. Business is booming with many jobs in progress and many more under contract in the upcoming months. Unfortunately, Joe unexpectedly suffers a fatal heart attack. With no other licensee in the firm, all licensed activity must stop immediately until the firm can either hire a licensed plumbing contractor to serve as the qualifier, or until one of the family members can go through the licensing application and examination process, which may take 2 months or longer. The firm, which relied heavily on new construction work, is now limited to service and minor repairs. In addition to the grief of suddenly losing a family member, the family has to deal with the reality of lost income and a million headaches from being unable to complete their jobs in progress and those on the schedule. They will have to rely on service work and minor repairs which do not require a license until a licensee can be put in place. In the highly competitive plumbing trade, the firm may not survive more than a few weeks without a licensee.

IF ... Joe's wife, or any of his children or their spouses would have held a P-I contractor license, filing a Trade Name Change form with the Board's office would have allowed the firm to continue all of their work without missing a beat.

Example 2: Quench It Fire Protection Services is qualified by Minnie Waters, who holds a Fire Sprinkler Installation Contractor and Fire Sprinkler Inspection Contractor license. There are 20 employees doing installation work and 10 technicians doing inspections. Ms. Waters, a long-time member of the Army National Guard, is deployed to a foreign country for a 12 month tour of duty, effective immediately.

As the only contractor licensee in the firm, all activities must stop until another licensee can be recruited, hired and listed as the firm's qualifier. Unfortunately, none of the 30 employees hold the required NICET Level III certification required to take the installation or inspection contractor's exam. Unable to fulfill their current installation and inspection contracts and with no luck in recruiting any contractors to fill the licensing void, the firm files for bankruptcy, leaving 30 loyal employees without a job and their long-time customers facing monumental issues with unfinished work, delayed projects and non-compliance.

IF ... any of the employees would have held an installation contractor and inspection contractor license, a simple Trade Name Change form would have allowed the firm to continue working. It could be one individual holding both qualifications, or two individuals who each held one of the qualifications.

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Example 3: Hot & Cold Plumbing & HVAC, as its name implies, is a plumbing, heating and air conditioning contractor. Jack Smith started the company in 2000 when he became a licensed Class I Plumbing Contractor. In 2010 he hired John Smith (no relation), a licensed H-I-I, H2, H3-I HVAC contractor. Jack added Joe to the firm as a sub-licensee and expanded the business to include residential and commercial HVAC work, a move that has proven to be extremely profitable, with HVAC work accounting for approximately 75% of the firm's annual revenue. They now employ 10 plumbers and 30 HVAC installation and service technicians.

Imagine Jack's dismay the Friday afternoon that John told him that he was parting ways with him, and starting a new job with a competitor across town on Monday morning. There were a dozen or more big mechanical jobs in progress, and the schedule was booked out for months. With no HVAC licensee, Jack had to call an emergency meeting on Monday morning and inform the majority of his workforce that they couldn't work. Then he had to call his customers with jobs in progress and those on the schedule and tell them the same. He had put all of his eggs in one basket, and John had walked out the door with it on Friday.

IF ... Jack had encouraged any of his employees to pursue HVAC licensing, and added them as sub-licensees of the firm, their qualifications would have allowed the firm to continue with its work after John's unexpected departure.

The examples given above are purely fictional, but unfortunately many similar situations do actually occur in real life. As you can see from these three cases, the loss of a licensee to illness, injury, death, military service, retirement, a competitor, or any other similar event can instantly cripple a company. This can leave the owners and employees with greatly reduced or no income, and alienate both long-time and new customers by leaving them in a bad situation. In-progress work and signed contracts cannot be sub-contracted to another licensed firm, as a license is required to engage in both contracting and sub-contracting. The firm that has lost its qualifier no longer has that license, so it can not sub out the work and contracts in order to fulfill their obligations.

Many contractors, especially those with small and/or family-owned and operated businesses, are often reluctant to invest in their employees and encourage them to pursue a contractor license of their own. They fear that the employee, once licensed, will demand more money, threaten to leave, go to work for a competitor or start their own competing firm.

What they fail to realize is that a licensed contractor can be a great asset to them and their firm, allowing the business to continue operating if they should be unable to fulfill their duties as the only qualifier. It is actually a good practice to have more than one qualifier for each trade, which prevents the loss of one individual from shutting down all of the work that they were responsible for.

Sub-licensees: Should they be contractors or technicians?

There is another added benefit to having sub-licensees: every licensee who qualifies a firm is responsible for personally reviewing all work (yes, every job) which requires a license while in progress to ensure that the work is being performed in accordance with all applicable codes and in a workmanlike manner. This can be next to impossible for a single licensee who has multiple crews working in the field on a daily basis.

A sub-licensee can also perform the required supervision duties, as long as the work falls under their qualifications. This holds true for a contractor or technician; however, only a contractor can be moved into the position of firm qualifier...a technician can not. A technician who has received their license by exam can move up to contractor status by taking and passing the business portion of the contractor's exam, as the technical portion of the different disciplines is the same for technician and contractor.

Ideally, a firm should have at least two individuals who hold a contractor license for the types of work that the firm engages in. That way, if one of the contractor licensees is unable to perform the required duties for any reason, there is another person who can. This helps to ensure that the firm can continue to operate without interruption, the employees will continue to be gainfully employed, and the citizens and business owners of North Carolina can continue to depend on their contractor of choice to serve their plumbing, heating, fuel piping and fire sprinkler installation, service, repair and testing needs.

The Exam Information page of the Board's website contains information and links concerning the application and examination process. The hours of experience requirements for a technician are less than that for a contractor, and once a technician license is obtained, the individual gain additional hours in order to qualify for the business exam to upgrade to a contractor license.

Similarly, an applicant who takes the exam for a contractor license and passes the technical portion but fails the business portion, may opt to activate the technician license until they can take and pass the business portion of the exam and earn the contractor license.

The preceding article is a reprint. The original appeared in the May 2021 edition of the Board's newsletter.

The Board staff still receives calls and emails on a daily basis regarding sub-licensees and technicians, and the Board still receives complaints where the qualifier and or sub-licensee(s) have failed to meet their obligations for proper supervision of work performed under their license qualifications.

North Carolina State Agencies

NC Department of Insurance	919-647-0000 800-634-7854	NC Department of Labor	919-807-2796
<ul style="list-style-type: none"> • Mark Burns (Plumbing Interpretations) • David Rittlinger (Mechanical & Gas Interpretations) • Dan Dittman (Energy Interpretations) • Charlie Johnson (Fire Code Interpretations) • Lori Miller (Building Code Bookstore) 	919-647-0006 919-647-0008 919-647-0012 919-647-0094 919-647-0029	NC Department of Revenue NC Electrical Licensing Board NC General Contractor Licensing Board NC Irrigation Contractors Licensing Board NC Refrigeration Licensing Board NC Secretary of State NC Well Commission	919-252-3052 919-733-9042 919-571-4183 919-872-2229 919-779-4711 919-807-2225 919-707-5882

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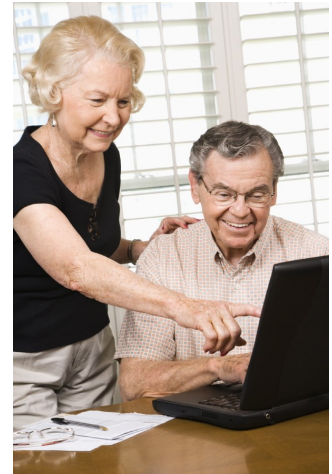
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To view a regional map and listing of counties, please visit our website at www.nclicensing.org and click on the "Administrative Officers" button, or simply [click here](#).

Website Information: www.nclicensing.org (Forms)

Online license renewal is available for licensees who wish to use it and pay the renewal fee with a MasterCard or Visa. The online renewal link can be found on the home page of our website. If you do not have your username and password, or have any other questions regarding online renewal, please contact Dejaya "DJ" Soltys at 984-884-5789.



Compliant Form

- Complaint against licensed or unlicensed contractors

Forms Requiring Payment (check, money order or online)

1. Trade Name Change (licensee or firm name)
2. Add Sub-licensee
3. License Activation (for examinees who have passed examination)

Forms Requiring No Payment

1. Address Change: Licensee (may be changed online)
2. Address Change: Sub-licensee (may be changed online)
3. Delete Sub-licensee

Renewal Forms

1. 2023
2. 2023 and Previous Years if expired in 2020, 2021 or 2022)

New Applicant Forms

NEW— Online Application Available

1. Plumbing, Heating, and Fuel Piping Contractor Examination Application
2. Fire Sprinkler Installation & Inspection Contractor Examination Application
3. Residential Fire Sprinkler Installation Contractor
4. Plumbing, Heating & Fuel Piping Technician
5. Fire Sprinkler Inspection Technician Examination Application (with or without NICET)
6. Fire Sprinkler Maintenance Technician
7. Book Reference List for All Applicants
8. Request for Exam Review (for examinees who have failed a recent exam)
9. Re-examination Application (for examinees who wish to retake an exam)
10. Customer Affidavit

Technical Examination Waiver Forms (State Specific)

1. Technical Exam Waiver (South Carolina plumbing & HVAC contractors ONLY)

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

Online Ordering

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
5. Request for Listing of Current Applicants

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:

Name	City/Town	Date	Name	City/Town	Date
Blackburn, Larry K.	Concord, NC	5/24/2022	Miller, Steven W.	Shelby, NC	6/28/2022
Cornett, Christopher	Weaverville, NC	12/8/2022	Ollis, Matthew L.	Concord, NC	5/24/2022
Goodman, James W.	Siler City, NC	9/8/2022	Pop, Dan V.	Charlotte, NC	10/13/2022

Consent Agreement Report

A Consent Agreement is an affidavit taken from unlicensed individuals performing plumbing, heating and fire sprinkler work without a license. These individuals sign a Consent Agreement stating that they will not perform any work requiring a license until they are properly licensed to do so. If you see these individuals performing contracting activities in the field, please report them to this office.

Name	City/Town	Date	Name	City/Town	Date
Arguera, Edgar	Smithfield, NC	11/17/2022	Huddleston, Richard K.	Leland, NC	01/04/2023
Armstrong, Darren	Columbia, NC	11/04/2022	Kiehl, Christopher	Reidsville, NC	12/21/2022
Burrell, Juanelle	Rosman, NC	01/26/2023	Krueutzer, David S.	Charlotte, NC	01/18/2023
Campos, Ivan	Durham, NC	11/03/2022	Krug, Daniel P.	Cleveland, NC	01/18/2023
Campos, Juan	Durham, NC	11/03/2022	Lovelady, Perry S.	Trenton, NC	11/15/2022
Contrera-Ramirez, Manuel	Smithfield, NC	11/29/2022	Quiros, Aida A.	Monroe, NC	01/11/2023
Cook Jr., David F.	Jamesville, NC	01/12/2023	Shelton, Caleb	Denton, NC	01/04/2023
Dougherty Jr., James H.	Denver, NC	01/18/2023	Sluder, James A.	Asheville, NC	01/13/2023
Farless, Gregory A.	Forest City, NC	01/18/2023	St. John, Clay	Ronda, NC	01/04/2023
Grismer, Cristofer J.	Monroe, NC	01/11/2023	Turner, Jason	Wilmington, NC	12/20/2022

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.

Armstrong, Grady

Armstrong & Son Heating & Air LLC Columbia, NC

License# 22516 H-2&3-I

Licensee failed to withhold taxes and paid an unlicensed individual using a 1099 Form in violation of the Board rule 21 NCAC 50.0512.

Grady Armstrong signed a Proposed Resolution Agreement signed 10/18/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Grady Armstrong, number 22516 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, 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.

Atkinson, Richard III Drain Express, Inc. Carrboro, NC License# 21697 P-I

Licensee failed to withhold taxes and paid an unlicensed individual using a 1099 Form in violation of the Board rule 21 NCAC 50.0512.

Richard Atkinson III signed a Proposed Resolution Agreement 11/29/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Richard Atkinson, number 21697 P-I, and that of the firm shall be placed on a 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 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.

Bader, Michael
Bader Plumbing & Gas.
Hendersonville, NC
License# 28940 P-I

Allegations the licensee violated agreement in that the licensee failed to attend the Board Laws and Rules Class per a Letter of Caution.

Resolution Conference held 12/05/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Michael Bader, number 28940 P-I, and that of the firm shall be placed on unsupervised probation for a period of six (6) months. Among other requirements during the probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Banker, Stephen
Plumb Cents, LLC
China Grove, NC
License# 30348 P-I

Allegations the licensee allowed the use of license by unlicensed persons, and obtained a permit and allowed his license number to appear on a permit on a job where the licensee did not hold the contract with the owner, employees did not perform the work and the licensee did not receive the contractual payment for the job.

Resolution Conference held 11/15/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Stephen Banker, number 30348 P-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months. Among other requirements during the probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course and complete the series of Special Mechanical Code courses.

Bowler, Joseph
Joes Plumbing
Hayesville, NC
License# 23481 P-I

Allegations the licensee failed to provide supervision, failed to execute contracts, and sold the business to an unlicensed person but kept the license in the name of the firm and failed to meet the minimum 1500-hour employment requirement in the office or on the jobs.

Resolution Conference held 12/05/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that if the license of Joseph

Bowler, number 23481 P-I, is not removed from the name of the firm it is currently listed and placed in his individual name by February 14, 2023, that his license and the license of the firm shall be suspended until such time as he has removed his license from the name of the firm and placed his license in his individual name. Licensee also agreed not to list his license in the name of any firm for a minimum of 3 years from the institution of agreement.

Breder, John C.
Roto Rooter Services Company
Raleigh, NC
License# 32442 P-I

Allegations of misconduct, money issues and installation issues with the replacement of sewer lines and a water heater replacement at another address.

John Breder signed a Proposed Resolution Agreement

The Review Committee found that the allegations were supported by the evidence and recommended that the license of John Breder, number 32442 P-I, and that of the firm shall be placed on a unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, the licensee shall enroll in, attend the Special Board Laws & Rules course, and complete the series of Special Contractor Business Management courses.

Clark, Ronald
Casey Services HVAC, Inc.
Wake Forest, NC
License# S. 22730 H-3-I

Allegations of installation issues with the fuel piping system at a new construction home, and failure to provide adequate supervision. Ronald Clark signed a Proposed Resolution Agreement 11/03/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Ronald Clark, number 22730 H-3-I, and that of the firm shall be placed on an unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Coble, Donnie R.
Coble Metals
Greensboro, NC
License# 10351 H-3-I

Allegations the licensee failed to withhold taxes and paid an unlicensed individual using a 1099 Form in violation of the Board rule 21 NCAC 50.05.12.

Donnie Coble signed Proposed Resolution Agreement 10/10/2022.

The Review Committee found that the alle-

gations were supported by the evidence and recommended that the license of Donnie Coble, number 10351 H-3-I, and that of the firm shall be placed on a 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 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.

Daw, Selby H., II
Hazes Plumbing Services
Washington, NC
License# 35437 P-II

Allegations of misconduct, job abandonment, and the licensee engaged in business under a different name or style of business than appears on his license.

Daw signed a Proposed Resolution Agreement 12/08/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Selby Daw, number 35437 P-II, and that of the firm shall be placed on an unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Dulin, Robert H. , Jr.
South End Plumbing II, LLC
Matthews, NC
License# 33685 P-I

Allegations 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, the firm employed approximately 34 to 39 plumbers with the firm and until May 2, 2022, Robert Hood Dulin, Jr. was the only licensee for the firm, created risk of personal injury or property damage in that the flue piping from the gas appliance was installed in a manner that could expose the homeowner to the possibility of carbon monoxide, violated the minimum standard of the North Carolina State Plumbing Code, and violated the minimum standard of the North Carolina State Fuel Gas Code.

Resolution Conference held 11/14/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Robert Dulin, number 33685 P-I, and that of the firm shall be placed on unsupervised probation for a period of twenty-four (24) months. Among other requirements during the probation, 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.

Edmondson, Melvin R., Sr.
Edmondson Plumbing
Rocky Mount, NC

License# 29496 P-I

Allegations the licensee failed to withhold taxes and paid an unlicensed individual using a 1099 Form in violation of the Board rule 21 NCAC 50.0512.

Resolution Agreement held 10/04/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Melvin Edmondson, number 29496 P-I, and that of the firm shall be placed on an unsupervised probation for a period of twelve (12) months. Among other requirements during the suspension, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course 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.

Faille, Steven C.
Alpha Air Heating and Cooling LLC.
Catawba, SC

License# 35019 H-3-I

Allegations licensee failed to provide adequate supervision and violated the State Mechanical Code,

Resolution Conference held 09/20/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Steven Faille, number 35019 H-3-I, shall be placed on an unsupervised probation for a period of (12) months. Among other requirements during the probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Freeman, Jeffrey
Freeman Citywide Refrigeration
Stanley, NC

License# 22889 H-3-I

Allegations licensee allowed the use of license by unlicensed persons by issuing 1099's to unlicensed persons, obtained permits and allowed his license number to appear on a permits on a jobs where the licensee did not hold the contract with the homeowner or general contractor and did not receive the contractual payment for the jobs, failed to perform load calculations, aided and abetted unlicensed person(s) by allowing unlicensed person(s) to purchase equipment under the licensee's wholesale account(s).

Resolution Conference held 11/18/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Jeffrey

Freeman, number 22889 H-3-I, and the license of the firm be suspended for a period of six (6) months. Among other requirements during the suspension, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course. Upon successful completion of the suspension, his license, number 22889 H-3-I, and that of the firm shall be placed on supervised probation for a period of twenty-four (24) months.

Holden, Alan
Peak Plumbing of Hickory, LLC
Granite Falls, NC

License# 34917 P-I

Allegations the licensee failed to provide adequate supervision, violated the minimum standard of the North Carolina State Plumbing Code, and engaged in business under a different name or style of business than appears on his license. The licensee has now properly listed his license in the name of the firm he operates,

Alan Holden signed a Proposed Resolution Agreement 12/06/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Alan Holden, number 34917 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course and the series of Special Plumbing Code and Design.

Hyatt, Wayne Jr.
Mondragon Plumbing Inc
Archdale, NC

License# 18661 P-I

Allegations the licensee licensed the firm of Ray's Septic & Grading Service and allowed Ivan Mondragon to renew the license of Wayne Roger Hyatt, Sr., 16421 P-I, Ivan Mondragon paid the licensee (Wayne Roger Hyatt, Jr.) \$500.00 to pull a permit under the license of Wayne Roger Hyatt, Sr., license number 16421 P-I, while Wayne Roger Hyatt, Jr. maintained his license in the name of Ray's Septic & Grading Service for work installed at 2210 Carlisle Rd.. Ivan Mondragon contracted plumbing and was paid by the homeowner, while having an agreement with Wayne Roger Hyatt, Jr. to split the money on the job (2210 Carlisle Rd., Greensboro, NC)

Resolution Conference held 11/17/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Wayne Hyatt, number 18661 P-I, and the license of the firm be suspended 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.

Hyatt, Jordan R.
A-I Precision Plumbing LLC
Leicester, NC

License# 35984, P-I

Allegations the licensee failed to contract with the licensed general contractor overseeing the set-up of the modular home, and licensee failed to add his name to the permit as the plumbing contractor and violated GS 87-21 and the Board laws and rules.

Jordan Hyatt signed a Proposed Resolution Agreement 10/25/2022.

Resolution Conference held 12/05/2022. Review Committee accepted 10/25/2022

Proposed Resolution Agreement.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Jordan Hyatt, number 35984, P-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen months. Among other requirements during the probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Johnson, Gregory W. II.
Air-Conditioning Repair Experts
A.R.E. LLC

Charlotte, NC

License# 34167 H-3-II

Allegations the licensee failed to provide proof of passing inspection on the job located at 423 Comet Dr. (Order required the licensee to submit proof by November 5, 2021), failed to attend Special Contractor Business Management course within 90 days of approval of the order (To date the licensee still has not taken this course), failed to attend the Special Board Laws and Rules Class within 90 days of approval of the order, and to date the licensee still has not taken this course.

Resolution Conference held 11/15/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Gregory Johnson, license, number 34167 H-3-II, and the license of the firm be suspended for a period of three (3) months. Among other requirements during the suspension, the licensee shall provide proof of passing inspection on the job located at 423 Comet Dr., licensee shall enroll in, attend, and complete the series of Special Contractor Business Management courses and complete the Special Board Laws & Rules. Upon successful completion of the suspension, his license, number 34167 H-3-II, and that of the firm shall be placed on supervised probation for a period of eighteen (18) months.

Kelly, Darryl
DKI Plumbing, Inc.
Charlotte, NC
License# 18766 P-I

Allegations the licensee violated the minimum standard of the North Carolina State Plumbing Code, failed to obtain permit(s) prior to commencing work, and failed to request inspections within 10 days of substantial completion of work.

Resolution Conference held 11/18/2022

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Darryl Kelly, number 18766 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, the licensee shall enroll in, attend, and complete the series of Special Plumbing Code and Design courses, and complete the Special Board Laws & Rules course.

Little, Christopher K.
Murphy, NC

License# 28172 H-3-I

Allegations of theft and job abandonment, on or about December 28, 2021, the licensee obtained from the homeowner \$5,000 for the installation of a 2.5-ton package unit but failed to perform the installation. After a request by the homeowner for the installation or a refund, the licensee never performed the installation or refunded the monies, and only after the homeowner filed charges with the Cherokee County Sheriff's Office did the licensee refund to the homeowner the \$5,000.00, on or about September 2, 2022, failed to perform load calculation(s). the licensee stated he sized the equipment based on "like for like" and did not perform a load calculation, employed a helper to assist with HVAC work without making the sure the employee was a "bona-fide" employee or that the helper held his own license.

Resolution Conference held 12/06/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Christopher Little, number 28172 H-3-I, and the license of the firm be suspended for a period of six (6) months. Among other requirements during the suspension, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course. Upon successful completion of the suspension, his license, number 28172 H-3-I, and that of the firm shall be placed on supervised probation for a period of eighteen (18) months.

Lowman, Samuel
Kincaid Heating & Air
Connelly Springs, NC
License# 33148, H-3-II

Allegations the licensee contracted and per-

formed heating group two work outside the limitations of his license, violated GS 87-21 section .0404 and .0505, by failing to comply with the rule that work requiring the use of his mechanical license could only be performed if the licensee was working or if he worked a minimum of 1500 hours annually, and was paid with cash and or a form 1099 in violation of GS 87-21 section and .0512 (employees of the firm are required to be bona-fide employees if they perform work requiring the use of his license).

Samuel Lowman signed a Proposed Resolution Agreement 02/16/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Samuel Lowman, number 33148 H-3-II, and the license of the firm be suspended for a period of three months. Among other requirements during the suspension, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course. Upon successful completion of the suspension, his license, number 33148, H-3-II, and that of the firm shall be placed on supervised probation for a period of twenty-four months.

McLamb, Carl C.
Queen City Plumbing, LLC
Charlotte, NC

License# 32277 H-3-I

Allegations licensee allowed the use of license by unlicensed persons by issuing 1099's to unlicensed persons and failed to provide adequate supervision.

Resolution Conference held 11/16/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Carl McLamb, number 32277 H-3-I, 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.

McWaters, William F.
d/b/a Honesty Services
Rock Hill, SC

License# 30166, H-3-I

Allegations the licensee failed to provide adequate supervision for the installation of a 4 ton condensing unit prior to inspection and violated the State Mechanical Code, and failed to ensure proper system operation.

William McWaters signed a Proposed Resolution Agreement 10/26/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of William McWaters, number 30166 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 pro-

bation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course and the series of Special Mechanical Code courses.

Miller, Joseph R. Jr.
Rock Hill, SC

License# 34791 H-3-II

Allegations 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 supervision, failed to perform load calculation and/or provided the load calculation upon request, violated the minimum standard of the North Carolina State Mechanical Code, allowed the use of license by unlicensed persons by issuing 1099's to unlicensed persons, engaged in business under a different name or style of business than appears on his license, water damage to ceiling from condensate issue, and the original installation performed in 2017 was performed unlicensed.

Resolution Conference held 12/06/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Joseph R. Miller, number 34791 H-3-II, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other requirements during the probation, by January 1, 2023 assure that his license has been listed with the Board in the name that he currently operates his business, within 30 days of executing this agreement the licensee shall submit to the Board's office copies of all employees W-4's and by the end of the probation submit a copy of all employees W-2's for each year of the probation, the licensee shall enroll in, attend, and complete the series of Special Mechanical Code courses, and complete the Special Board Laws & Rules course.

Moore, Robert M.
A Royal Flush Plumbing
Waynesville, NC

License# 20214 P-II

Allegations the licensee failed to provide supervision, violated the minimum standard of the North Carolina State Plumbing Code, and an employee of the firm tried upselling the replacement of a water heater main shut-off valve that did not need to be replaced and the owner never asked the employee to review the valve, and an employee of the firm contacted the homeowner after the investigation was performed to intimidate the homeowner for filing a complaint with the board.

Resolution Conference held 12/06/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Robert

Moore, number 20214 P-II, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other requirements during the probation, when the licensee is out of the State of North Carolina, all employees of the firm can ONLY contract, quote or perform work (installed or repaired) that does NOT require a license from the board. Within 48 hour of returning to the State of North Carolina, it is the licensee's responsibility to review all service tickets, service orders, invoices, or other appropriate documentation to assure that work that requires a license was NOT contracted, quoted or installed while he was out of state, the licensee shall enroll in, attend, and complete the series of Special Plumbing Code and Design courses, and complete the Special Board Laws & Rules course.

Nystrom, Michael
E.E.S Contractors, LLC
Charlotte, NC
License# 21634 P-I

Allegations the licensee allowed the use of license by multiple unlicensed persons by issuing 1099's to unlicensed persons for work that requires a license, Resolution Conference held 11/16/2022. The Review Committee found that the allegations were supported by the evidence and recommended that the license of Michael Nystrom, number 21634 P-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other requirements during the probation, by December 2, 2022, the licensee shall submit to the Board's office copies of all employees W-4's, by April 15, 2023 submit all new employees W-4's and 2022 W-2's for employees that work during 2022, by April 15, 2024 submit all new employees W-4's and 2023 W-2's for employees that work during 2023, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Paycer, Wayne E.
SFA Fire Protection, Inc.
Mooreville, NC
License# 25461 FS, FSIC

Allegations the licensee allowed the use of license by unlicensed persons by issuing 1099's to unlicensed persons when the licensee was licensing SFA Fire Protection, Inc., engaged in business under a different name or style of business than appears on his license, and the licensee licensed the Charlotte, NC office, but was actually located at the Salisbury, NC office, which is not licensed and contracts and dispatched work from the unlicensed office. Resolution Conference held 11/15/2022. The Review Committee found that the alle-

gations were supported by the evidence and recommended that the license of Wayne Paycer, number 25461 FS & FSIC, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, by December 15, 2022, assure that his license has been listed with the Board in the name of the firm he is licensing and at the proper location of the firm he is licensing, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Rector, Robert
Plumb Pro of WNC
Weaverville, NC
License# 25097 P-I

Allegations the licensee failed to provide adequate supervision, violated the minimum standard of the North Carolina State Plumbing Code, failed to install a trap on the shower that allowed the shower to drain into the crawlspace for about 8 months, and cut a floor joist for the shower drain. Resolution Conference held 12/07/2022. The Review Committee found that the allegations were supported by the evidence and recommended that the license of Robert Rector, number 25097 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, the licensee shall enroll in, attend, and complete the series of Special Plumbing Code and Design courses, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Smith, Jeramy J.
J. Smith Plumbing, Inc.
Inman, SC
License# 28603 P-II

Allegations the licensee operated business in North Carolina without registering with the North Carolina Secretary of State, operating as J. Smith Plumbing, Inc., yet the license has been listed in his individual name since issued in 2006, and performed two commercial plumbing installations in North Carolina while only holding a North Carolina Plumbing Class II license. Resolution Conference held 12/05/2022. The Review Committee found that the allegations were supported by the evidence and recommended that the license of Jeramy Smith, number 28603 P-II, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other requirements during the probation, by January 1, 2023, the licensee shall submit to the board a certified copy of his birth certificate along with a letter explaining why he originally submitted his application for examination with an improperly spelled

first name, and requesting that the spelling of his name match his certified birth certificate, by January 1, 2023, assure that his license has been listed with the Board in the name that he currently operate his business, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Stanley, Christopher H.
Euliss Propane
Liberty, NC
License# 23122, FP

Allegations the licensee failed to attend the Laws and Rules Class as agreed upon in a Letter of Caution the licensee signed on or about April 20, 2020. The licensee missed around twenty different opportunities to take the class. Resolution Conference held 12/08/2022. The Review Committee found that the allegations were supported by the evidence and recommended that the license of Christopher Stanley, number 23122 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, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Starnes, Patrick
Starnes Heating & Air., Inc.
Granite Falls, NC
License# 20756 H-2&3-I

Allegations 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 12/07/2022. The Review Committee found that the allegations were supported by the evidence and recommended that the license of Patrick Starnes, 20756 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 and complete the series of Special Mechanical Code courses.

Williams, Robert W.
TCS, Incorporated
Charlotte, NC
License# 9987, H2&H3-I

Allegations 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, though on June 21, 2022, a permit was issued, and a final inspection has

now been received, and failed to perform proper load calculation(s).

Resolution Conference held 11/15/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Robert Williams, 9987 H-2&3-I, and that of the firm shall be placed on supervised probation for a period of eighteen (18) months. Among other requirements during the probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course and complete the series of Special Mechanical Code courses.

**Wray, Maury
Service Today
Hendersonville, NC**

License# 14335, PH 1-2-3-I

Allegations licensee failed to ensure proper system operation, violated the State Mechanical Code, and failed to properly supervise the mechanical installations.

Maury Wray signed a Proposed Resolution Agreement 10/14/2022.
Resolution Conference held 12/08/2022.

Proposed Resolution Agreement approved. The Review Committee found that the allegations were supported by the evidence and recommended that the license of Maury Wray, number 14335, PH-1-2-3-I, and that of the firm shall be placed on an unsupervised probation for a period of eighteen months. Among other requirements during the probation, by October 28th, 2022 the contractor shall return to the homes located at 183 & 203 Hayes Ridge Lane, and perform a thorough Manual J load calculation, Manual D duct design and a Manual S equipment sizing calculation. If the calculations reveals that the equipment or ductwork is improperly sized, then the contractor shall obtain a permit from the local inspection department, replace the improperly sized equipment and ductwork with properly sized equipment and ductwork and obtain a final inspection by November 4th, 2022. The contractor shall submit evidence to the board by November 15th, 2022, of the final inspection and shall submit a copy of all of the calculations. This work shall be performed at no expense to the homeowners. The licensee shall enroll in,

attend the Special Board Laws & Rules course.

**Young, Michael D.
Fletcher, NC**

License# 32983 H-3-I

Allegations the licensee failed to obtain final inspections, failed to provide supervision, failed to carry out adequate ductwork installation and system design, violated the minimum standard of the North Carolina State Mechanical Code, and installation performed in a poor workman like manner / poor workmanship.

Resolution Conference held 12/08/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Michael Young, number 32983 H-3-I, shall be placed on unsupervised probation for a period of eighteen (18) months. Among other requirements during the probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course and complete the series of Special Mechanical Design courses.

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

**Buff, Donna L.
Spindale, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 1/4/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Bunn, Preston L.
Preston L Bunn Heating & Air, LLC
Raleigh, NC**

Formal Hearing held 11/9/22. Formal Order issued permanently revoking Respondent's license as a result of a violation of the terms of an existing probation and an installation of a replacement HVAC system without performing a load calculation, without obtaining a permit or an inspection by the local authority having jurisdiction over code enforcement and allowing an installation contrary to

the requirements of the Building Code to occur under Respondent's license. Order served on 11/21/22.

**Campbell, Aston
Durham, NC**

Consent Order without admission of fault entered 12/12/22 placing license on probation for 18 months resulting from allegations of a lack of supervision of NC installation by licensee living in Florida.

**Carter, Scotty D.
Moorestown, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 1/10/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so. Defendant served 2/3/23.

**Coltrane/Bridges, Daniel L.
High Point, NC**

Allegations of heating contracting without a valid license in violation of prior Judgment of Permanent Injunction. Show Cause Hearing held 2/6/23. Order of Contempt and Order of Arrest filed 2/8/23 finding Defendant in contempt and sentencing him to 30 days in jail.

**Cortes, Fernando
Goldsboro, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 12/1/22 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Dowdle, Timothy A.
Raleigh, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 12/19/22 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Faulkenbury, Wesley R.
Graham, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 2/1/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Fitzpatrick, Nina
Knighdale, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 12/2/22 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so. Defendant served 12/12/22.

**Grate, Arlen L. .
Latta, SC**

Allegations of plumbing and heating contracting without a license. Judgment of Permanent Injunction filed 1/10/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Greist, Richard
Grandy, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 1/24/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Height, Dave
Fountain, NC**

Allegations of plumbing contracting without a license. Order granting Permanent Injunction by Summary Judgment filed 1/9/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Jarman, Mark T.
Greenville, NC**

Allegations of plumbing contracting without a valid license in violation of 10/19/17 Judgment of Permanent Injunction. Order of Criminal Contempt filed 1/31/23. Defendant was sentenced to 30 days in the Wake County Jail however the sentence was suspended, and the Defendant placed on unsu-

pervised supervision for 12 months. The Defendant also was ordered to pay a \$500.00 fine to the Wake County Clerk.

**Leaf Home Safety Solutions
Morrisville, NC**

Allegations of plumbing contracting without a license. Judgment of Permanent Injunction filed 1/18/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**McDonald Jr., James W.
Wilmington, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 12/12/22 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**McDonald, Perry T.
Jacksonville, NC**

Allegations of heating contracting without a license. Judgment of Permanent Injunction filed 2/3/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**McKinney, Jame
Shelby, NC**

Allegations of heating contracting without a valid license in violation of prior Judgment of Permanent Injunction. Order of Arrest filed 1/31/23. A new Show Cause hearing will be scheduled when the Defendant is arrested.

**Meza, Jonathan E.H.
Kings Mountain, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 1/24/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so. Defendant served 2/2/23.

**Midgett, Kenneth
Currituck, NC**

Allegations of heating contracting without a valid license in violation of prior Judgment of Permanent Injunction. Show Cause hearing held 12/12/22 and Defendant found in Contempt and sentenced to 30 days in jail and a \$500 fine. Waiting on return of Order.

**Moore, Thomas C.
Wilmington, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 1/24/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Newman, Patrick T.
Marion, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 12/6/22 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Roberts, Coty J.
Liberty, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 12/9/22 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so. Defendant served 12/19/22.

**Schulze, Charles A.
Fairfield, Ohio**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 1/12/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Sinclair, Kenneth S.
Concord, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 1/13/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Snipes Jr., Charles
Cornelius, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 1/11/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so. Individual Defendant served 1/17/23.

**Spencer, Richard
Greensboro, NC**

Allegations of plumbing contracting without a valid license. Order granting Permanent Injunction by Summary Judgment filed 1/24/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Toshach III, Charles J.
Greenville, NC**

Formal Hearing scheduled for 1/9/22 and Consent Order approved placing Defendants on probation for 24 months arising from misconduct and a failure to properly supervise plumbing installations for a private dormitory project in Greenville, NC.

Tretiakoff, Denis**Cashiers, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 12/9/22 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Wilbanks, Edward J.**Bullock, NC**

Formal Hearing continued from 11/10/22 and held 1/12/23 and Order issued finding no violations and imposing no discipline.

Wilkie, Daniel**Largo, FL**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 1/25/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Willey, Seth**Murphy, NC**

Allegations of heating contracting without a valid license. Order granting Permanent Injunction by Summary Judgment filed 1/11/23

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

Williams, Swain E.**Gastonia, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 12/9/22 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so. Defendant served 12/20/22.