

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

September 2023

## BOARD MEMBERS

**Stuart F. Schwartz**  
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Plumbing Contractor  
Raleigh, NC

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**D. Hunter Edwards Jr.**  
Air Conditioning Contractor  
Charlotte, NC

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

**1109 Dresser Court  
Raleigh, NC 27609**

Phone: 919-875-3612

[www.nclicensing.org](http://www.nclicensing.org)  
[www.ncplumbing.org](http://www.ncplumbing.org)  
[www.ncheating.org](http://www.ncheating.org)  
[www.ncfiresprinkler.org](http://www.ncfiresprinkler.org)

## Residential Fire Sprinkler Installation Contractor Class and Examination to be Offered in November

The Residential Fire Sprinkler Installation Contractor (RFSIC) class and examination will be offered on Thursday, November 16, 2023, at the Holiday Inn Greensboro, located at 3005 West Gate City Blvd..

This class is open to plumbing contractors who have held an active license with the Board for at least two years and wish to obtain the Residential Fire Sprinkler Installation Contractor license.

**If you are interested in obtaining the license, please read this article carefully and in its entirety, as there are important deadlines that applicants must meet in order to attend.**

The RFSIC license allows for the installation of multi-purpose fire sprinkler systems in one- and two-family dwellings. The system must be designed by a commercial Fire Sprinkler Installation Contractor licensee of this Board, or by a North Carolina Professional Engineer. The system must be installed by the contractor per the design, and inspected by the local inspection department.

The experience requirement for the license is two years as an active licensed plumbing contractor of this Board. The individual must submit an application and background check. They will then receive the self-study course materials via e-mail. The self-study worksheets must be completed by the applicant and submitted to the Board in order to be seated for the classroom instruction and examination.

### IMPORTANT DEADLINES

#### Immediately:

Applicants will need two books for the self-study, class, and exam. Books should be ordered immediately to allow time for shipping.

- Board Laws & Rules - [Click here to order](#)

- NFPA 13D - Standard for the Installation of Sprinkler systems in One- and Two-Family Dwellings and Manufactured Homes (2013 Edition) - [Click here to order](#)  
(Note: You must select the 2013 Standard Print edition)

#### Friday, September 29, 2023

Application with background check and exam fee must be received in the Board's office by 09/29/2023. They may be mailed with payment, or emailed and paid by card online. [Click here to download](#) the Residential Fire Sprinkler Installation Contractor application. Self-Study worksheets will be emailed to the applicant upon receipt of the application.

#### Friday, October 27, 2023

Self-Study Worksheets must be received in the Board's office by 10/29/2023. They may be mailed or emailed.

**Please Note: Due to the time needed for reviewing and processing applications and self-study worksheet submissions, no extensions will be granted and no exceptions will be made.**

## North Carolina State Agencies

<b>NC Department of Insurance</b>	<b>919-647-0000 800-634-7854</b>	NC Department of Labor	919-807-2796
• Mark Burns (Plumbing Interpretations)	919-647-0006	NC Department of Revenue	919-252-3052
• David Rittlinger (Mechanical & Gas Interpretations)	919-647-0008	NC Electrical Licensing Board	919-733-9042
• Dan Dittman (Energy Interpretations)	919-647-0012	NC General Contractor Licensing Board	919-571-4183
• Charlie Johnson (Fire Code Interpretations)	919-647-0094	NC Irrigation Contractors Licensing Board	919-872-2229
• Lori Miller (Building Code Bookstore)	919-647-0029	NC Refrigeration Licensing Board	919-779-4711
		NC Secretary of State	919-807-2225
		NC Well Commission	919-707-5882

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

### Office Staff Directory

Office Phone: 919-875-3612  
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**Dale Dawson** 984-884-5788

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**David Boulay** 984-884-5790

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**Tom Johnston** 984-884-5805

Senior Administrative Officer  
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**Scott Bilsky** 984-884-5799

Administrative Officer  
Region 4  
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**Kevin Thibodeaux** 984-884-5795

Administrative Officer  
Region 5  
[kthibodeaux@nclicensing.org](mailto:kthibodeaux@nclicensing.org)

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

## Website Information: [www.nclicensing.org](http://www.nclicensing.org) (Forms)

The following is a list of forms that can be downloaded from the [Forms](#) page of our website.

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 call our office at 919-875-3612.

### 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)

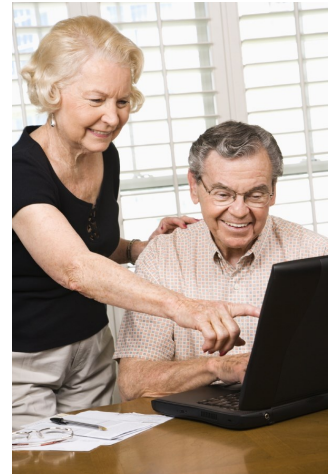
1. Technical Exam Waiver (South Carolina plumbing & HVAC contractors ONLY)

### 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
Antonelli Jr., Gregory J.	Newport, NC	04/18/2023	Hampton II, Dennis	Rock Hill, SC	05/01/2023
Bailey, Damion	Charlotte, NC	05/01/2023	Nelson, Matthew D.	Zirconia, NC	04/03/2023
Caldwell, Charles J.	Zebulon, NC	05/11/2023	Nepstad, Jonathan	Fayetteville, NC	05/09/2023
Condrey, Richard K.	Nebo, NC	04/26/2023	Simmons Jr., James M.	Raleigh, NC	05/11/2023
Gregory, Gary	Albemarle, NC	05/04/2023	Sluder, Shane W.	Mars Hill, NC	04/18/2023

## 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
Niemeyer II, Robert P.	Winston Salem, NC	06/20/2023			

## 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](mailto:information@nclicensing.org)) or upon written request to the Board's office.

### **Airtron, Inc. Charlotte, NC**

#### **License# 32759 H-3-I**

Allegations the firm failed to provide adequate supervision on load calculations to confirm their accuracy, failed to perform proper load calculation(s) in that after the complaints were filed, new load calculations were performed by the firm demonstrating an inaccurate load to begin with, installed undersized equipment on both complaints, failed to provide copy of load calculations upon request, failed to respond to customer complaints in a timely manner, and violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 05/03/2023.

The Review Committee found that the allegations were supported by the evidence and

recommended that the license of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other requirements during the probation, if a homeowner requests a copy of a load calculation the firm shall submit a copy of the complete load calculation to the homeowner within five (5) business days of the request, and all current licensees of the firm shall enroll, attend, and complete the Special Board Laws & Rules course approved by the Board's Executive Director within 90 days of approval of this agreement. This course is four (4) hours in length. The licensee shall bring to the course the current edition of the Board's Laws and Rules book. The licensee acknowledges receipt of a schedule of the dates, times, and locations of this Special Board Laws & Rules course. It is the respon-

sibility of the licensee to contact the course provider, State Board of Examiners of Plumbing, Heating & Fire Sprinkler Contractors by e-mail ([education@nclicensing.org](mailto:education@nclicensing.org)) to register for this course. When registering for this course the licensee shall indicate their full name, their license number and the date and time for the class they are registering to attend. Failure of the licensee to complete this course as outlined above will be considered a violation of this order.

### **Argento, Michael J.**

#### **Rudy Cool's, LLC**

#### **Gastonia, NC**

#### **License# 30845 H-3-II**

Allegations the licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of sub-

stantial completion of work, failed to obtain final inspections, failed to perform load calculation(s), engaged in business under a different name or style of business than appears on his/her license, and contracted and performed work outside current licensing qualifications.

Resolution Conference held 05/01/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Michael Argento, number 30845 H-3-II, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months.

**Biles, Brandon T.**

**The Heating & Cooling Shoppe  
Landis, NC**

**License# 31129 H-3-I**

Allegations licensee failed to obtain permit(s) prior to commencing work, failed to provide adequate supervision, failed to perform proper load calculation(s), installed undersized equipment, failed to maintain load calculation for 6 years, violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 05/01/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Brandon Biles, number 31129 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. The licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

**Cicero, Leonard Sr.  
d/b/a HRD Air**

**Holly Springs, NC**

**License# 33870 H-3-I**

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

Leonard Cicero signed Proposed Resolution Agreement 05/09/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Leonard Cicero, number 33870 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.

**Condrey, Tony R.**

**Nebo, NC**

**License# 15650 H-3-I**

Allegations of misconduct and being unlicensed.

Tony Condrey signed a Proposed Resolution Agreement 04/26/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Tony Condrey, number 15650 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve months. Among other requirements during the probation, the licensee shall not contract or perform work outside the current licensing classification held until properly licensed to work in these other fields, and the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

**Foster, Roy M.**

**Transform SR Home Improvement  
Products LLC (dba)**

**Charlotte, NC**

**License# 33611 H-3-II, sublicensee**

Allegations of violations of the State Mechanical Code, installation issues, license issuance, and being unlicensed to perform work.

Roy Foster signed a Proposed Resolution Agreement 04/19/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Roy Foster, number 33611 H-3-II, and that of the firm shall be placed on unsupervised probation for a period of 12 months. Among other requirements during probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

**Hospitality Heating &  
Air Conditioning, Inc.**

**Rock Hill, SC**

**License# 35886 H-3-I**

Allegations the firm 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 and violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 05/04/2023.

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

**Kijewski, Edward**

**Dilling Heating & Cooling  
Gastonia, NC**

**License# 30859 H-3-I**

Allegations of misconduct, failure to obtain a permit prior to commencing work, failed to request final inspection within 10 days of substantial completion of the work.

Edward Kijewski signed Proposed Resolution Agreement 06/21/2022.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Edward Kijewski, number 30859 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen months. The licensee shall enroll in, attend, and complete the Special Board Laws & Rules course, and provide a copy of the load calculation for 6227 Adele Lane, by June 28th, 2022.

**Lovick, John C.**

**Fatman Plumbing Pro  
Waxhaw, NC**

**License# 20035 P-II**

Allegations the licensee failed to obtain permit(s) prior to commencing work, failed to list the total scope of the job (water repipe, water heater and two outside hose bibs), only pulled the permit for the water repipe, failed to request inspections within 10 days of substantial completion of work, failed to provide adequate supervision, and violated the minimum standard of the North Carolina State Plumbing Code.

Resolution Conference held 05/01/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of John Lovick, number 20035 P-II, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. 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.

**Mackey, Robert A.**

**Gordan's Heating &  
Air Conditioning, Inc**

**Charlotte, NC**

**License# 9823 H-3-I**

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

Robert Mackey signed Proposed Resolution Agreement 05/16/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Robert Mackey, number 9823 H-3-I, and that of the firm shall be placed on an unsupervised pro-

bation for a period of (12) months. Among other requirements during the probation, within (15) 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, and enroll in, attend and complete the Special Board Laws & Rules course.

**Misuraca, John**  
**Horizon Services (NC)**  
**Operations, LLC**  
**Concord, NC**

**License# 35650, H-3-I**  
 Allegations licensee failed to obtain permit(s) prior to commencing work, failed to obtain final inspections within ten (10) days of substantial completion of the work, installation issues with contracted job, violated the minimum standard of the North Carolina State Mechanical Code, and failed to provide adequate supervision.

John Misuraca signed Proposed Resolution Agreement 05/11/2023

The Review Committee found that the allegations were supported by the evidence and recommended that the license of John Misuraca, license, number 35650, H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve months. The licensee shall enroll in, attend, and complete the Special Board Laws & Rules course. Among other requirements during the probation, by 05/28/2023 the contractor shall return to the home located at 1205 Taylor Farm Road to address the issues noted above. This work shall be performed at no expense to the homeowner, and the licensee shall enroll in, attend and complete the Special Board Laws & Rules course.

**Perry, Benjamin P.**  
**d/b/a Roto-Rooter**  
**Hickory, NC**

**License# 34641, P-I**  
 Allegations of misconduct, violation of the State Plumbing Code, failed to obtain permit (s) and/or inspection(s), installation issues, failure to provide adequate supervision.

Resolution Conference held 03/31/2023. The Review Committee found that the allegations were supported by the evidence and recommended that the license of Benjamin Perry, number 34641 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve months. Among other requirements during the probation, by April 26th, 2023, the licensee shall obtain a permit from the local code enforcement official, return to the structure (1421 Promise View Acres Drive), and correct any and all code violations that still exist. The contractor shall contact the building owner in advance, arrange a time to perform this work and shall

receive a final inspection by April 30th, 2023. This work shall be performed at the expense of the contractor. The licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

**Placa, Mark A.**  
**Air Solutions**  
**Raeford, NC**

**License# 24497 H2 & H-3-I**  
 Allegations of misconduct, installation issues, violation of the State Mechanical Code, failure to obtain permit(s) prior to commencing work and failure to request inspections within 10 days of substantial completion of work. Mark Placa signed Proposed Resolution Agreement 04/26/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Mark Placa, number 24497 H2 & H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. Among other requirements during the probation, install matching equipment at 1521 Kershaw Loop and obtain a final inspection within ten (10) days of the date of this agreement, and the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

**Spencer, Barry**  
**Spencer & Son Plumbing**  
**Walnut Cove, NC**

**License# 31148 P-I**  
 Allegations licensee failed to withhold taxes and paid an unlicensed individual using a 1099 Form in violation of the Board rule 21 NCAC 50.0512.

Barry Spencer signed a Proposed Resolution Agreement 06/15/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Barry Spencer, number 31148 P-I, and that of the firm shall be placed on a unsupervised probation for a period of twelve. Among other requirements during the probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course and submit to the Board's office within the next thirty (30) days copies of all employee W-4's and by the end of the probation submit a copy of all employee W-2's.

**Stewart, Albert E. Jr.**  
**Air Today, LLC**  
**Charlotte, NC**

**License# 6830 H-2&3-I**  
 Allegations licensee failed to request inspections within 10 days of substantial completion of work, failed to obtain final inspections, and failed to provide adequate supervision.

Resolution Conference held 05/04/2023. The Review Committee found that the alle-

gations were supported by the evidence and recommended that the license of Albert E. Stewart, Jr., number 6830 H-2&3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months. The licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

**Sylvester, Richard Jr.**  
**Sylvester & Cockrum, Inc.**  
**Winston Salem, NC**

**License# 4358 PH-1,2&3-I**  
 Allegations and findings of fact are in dispute; however, Respondents wished to resolve this matter without the expense of a hearing and agreed that were this matter to go to hearing that there would be sufficient findings of fact and conclusions of law to support the entry of the agreed upon terms and conditions of the Resolution Agreement.

Richard Sylvester, Jr. and Sylvester & Cockrum, Inc., represented by legal counsel, signed a Resolution Agreement June 2023. Upon the Board's approval of this Agreement, Respondent Sylvester will have surrendered his license and qualifications, and the license of Thomas Freeman, who currently holds Sub-License number S.12331, will be listed with the Board in the Finn's name as its licensee. Respondent Firm shall be placed on unsupervised probation for a period of twelve (12) months.

**Tabourn, Keifer**  
**Tabourn Heating & Air Conditioning**  
**Kittrell, NC**

**License# 20627 H-1,2&3-I**  
 Allegations licensee failed to withhold taxes and paid an unlicensed individual using a 1099 Form in violation of the Board rule 21 NCAC 50.0512.

Keifer Tabourn signed a Proposed Resolution Agreement 05/09/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Keifer Tabourn, number 20627 H-1,2&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 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.

**Thomason, Jonathan M.**  
**Lexington, NC**  
**License# 32112 H-3-I**

Allegations 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 inspection

tions, failed to perform load calculation(s), violated the minimum standard of the North Carolina State Mechanical Code, and engaged in business under a different name or style of business than appears on his license.

Resolution Conference held 05/03/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Jonathan Thomason, number 32112 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve (12) months.

**Vigna, Christopher R.**

**Charlotte, NC**

**License# 24484 P-I**

Allegations licensee failed to provide supervision, failed to meet the 1500-hours of em-

ployment with the firm, either in the office or on the jobs contracted by the firm, and had about sixty permits for the firm issued under a licensee that was not a licensee of the firm.

Resolution Conference held 05/02/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Christopher Vigna, number 24484 P-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.

**Yucel, Nihat**

**Klimatology HVAC LLC**

**Raleigh, NC**

**License# 33443, H-2-3-I**

Allegations of misconduct, failure to obtain a permit prior to commencing work, failed to request final inspection within 10 days of substantial completion of the work, and violated the State Mechanical Code.

Nihat Yucel signed Proposed Resolution Agreement 05/11/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Nihat Yucel, number 33443, H-2-3-I, and that of the firm shall be placed on unsupervised probation for a period of twelve months. 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.

## Attorney's Report

The Attorney's Report contains information pertaining to cases that have been adjudicated in a formal proceeding of the Board or in the courts of North Carolina. Disciplinary actions against licensed contractors are typically imposed during a Formal Hearing of the Board. Court action is necessary when unlicensed individuals are in violation of the Board's Laws and Rules or in circumstances where licensees are found to be in violation of any order(s) issued by the Board.

### **Allen, Jeffrey W. Jacksonville, NC**

Formal hearing scheduled for June 15, 2023 in New Bern, N.C resolved by Consent Order issued 6/26/23 placing Respondents' license on probation for a period of 15 months arising from concerns regarding improper installation and code violations related to the installation of fuel piping.

### **Burrell, William M. Roseman, NC**

Allegations of heating contracting without a valid license in violation of prior injunction. Order of Contempt filed 8/9/23 sentencing Defendant to 30 days in jail, which sentence was suspended, and the Defendant placed on probation. The Defendant was also ordered to pay a fine of \$500.00 within 30 days of the entry of the Order.

### **Caldwell, Joshua D. Winston-Salem, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 6/13/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

### **Canepa, Jason Durham, NC**

Allegations of fuel piping contracting without a valid license in violation of prior Judgment of Permanent Injunction. Order of Contempt filed 8/10/23 sentencing Defendant to 30 days in jail, which sentence was suspended, and the Defendant placed on probation. The Defendant was also ordered to pay a fine of \$250.00 within 30 days of the entry of the Order.

### **Castro, Elisco O. Durham, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 6/13/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so. Defendant served 7/17/23.

### **Daughtry, Stephen W. Clayton, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 7/5/23 enjoining the Defendant from engaging in business as a plumbing or

heating contractor until properly licensed to do so.

### **Davis, Barnard Belmont, NC**

Allegations of plumbing and fuel piping contracting without a valid license. Judgment of Permanent Injunction filed 7/5/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

### **Dong, Jin D. Durham, NC**

Allegations of heating contracting without a license. Judgment of Permanent Injunction filed 6/2/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

### **Fisk, James M. Castle Hayne, NC Suburban Propane**

Formal Hearing scheduled May 10, 2023 on allegations of license peddling and misuse of license resolved by consent with Final Order executed 6/30/23 placing the individual Respondent on probation for 12 months and suspending the Charlotte branch for nine months and placing it on probation thereafter.

### **Garcia, Manuel Winston Salem, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 8/8/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

### **Gillis IV, Charles H. Hayesville, NC**

Allegations of heating contracting without a valid license in violation of prior Judgment of Permanent Injunction filed 2/19/21. Order of Contempt and Order of Arrest filed 8/7/23 ordering the Defendant sentencing Defendant to 60 days in the Wake County Jail; however, sentence suspended and the Defendant ordered to pay a \$1,000.00 fine to the Wake County Clerk.

### **Hall, Steven H. Raleigh, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 7/5/23 enjoining the Defendant

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

### **Harrill, Clinton Forest City, NC**

Allegations of plumbing contracting without a valid license. Complaint for injunctive relief filed 6/13/23. Judgment of Permanent Injunction filed 7/28/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

### **Harrill, John Hendersonville, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 6/15/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

### **Hauck, Michael J. Wilmington, NC**

Formal hearing held on the basis of the written record on 6/22/23 and Order issued on 6/27/23 that revoked Respondents' license as a result of misconduct including job abandonment and incompetence including carrying out work with numerous Code violations. Order served on Respondents on 8/14/23.

### **Heath, James Weaverville, NC**

Allegations of heating contracting without a valid license in violation of prior Judgment of Permanent Injunction. Motion for Order to Show Cause forwarded to Clerk 9/6/22. Show Cause hearing continued until 6/26/23. Order of Contempt filed 6/27/23. The Defendant was sentenced to 30 days in the Wake County Jail however the sentences was suspended and the Defendant given 12 months' probation and has a fine of \$500 to be paid within 30 days of the entry of the Order.

### **Hernandez-Suarez, Angel Winston Salem, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 8/8/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Hewett, David  
Murphy, NC**

Allegations of heating contracting without a valid license in violation of the 4/21/11 Judgment of Permanent Injunction. Order of Contempt filed 7/19/23 ordering that Defendant be sentenced to 30 days in the Cherokee County Jail; however the sentence was suspended.

**Hewett Jr., David  
Murphy, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 7/17/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Higginbotham, Michael  
Franklinton, NC**

Allegations of heating contracting without a valid license in violation of 3/12/21 Judgment of Permanent Injunction. Order of Contempt and Order of Arrest filed 8/7/23 ordering the Defendant sentencing Defendant to 30 days in the Wake County Jail; however, 29 days were suspended.

**Holt, Johnnie  
Greenville, NC**

Allegations of heating contracting without a valid license. Permanent Injunction by Summary Judgment filed 8/3/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Lowder, Tyler  
Albemarle, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 8/11/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Markle, Samuel L.  
High Point, NC**

Allegations of heating contracting without a valid license in violation of prior Judgment of Permanent Injunction. Order of Contempt and Order of Arrest filed 7/13/23 sentencing defendant 10 days imprisonment in the Gaston County Jail beginning July 28, 2023.

**Marlowe, Ronald  
Tabor City, NC**

Allegations of heating contracting without a valid license. Permanent Injunction by Summary Judgment filed 7/13/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so. Request for Admissions forwarded to Defendant 8/7/23.

**Martinez, Angel  
Concord, NC**

Allegations of heating contracting without a valid license. Complaint for injunctive relief filed 10/28/22. Defendant served 12/5/22. Entry of Default filed 1/9/23. Motion for Default Judgment filed 1/13/23. Request for Admissions forwarded to Defendant 2/16/23. Motion for Summary Judgment hearing set for 6/26/23. Order granting Permanent Injunction by Summary Judgment filed 7/13/23.

**Matthews, David K.  
Charlotte, NC**

Formal Hearing related to Suburban Propane and Fisk. Matter continued from March. Pending Consent. See Fisk entry. This matter was closed as part of the final.

**McCracken, Tyler H.  
Fayetteville, NC**

Allegations of heating contracting without a valid license in violation of prior Judgment of Permanent Injunction. Order of Contempt filed 7/19/23 ordering the Defendant to be sentenced to 30 days in the Wake County Jail; however the sentence was suspended, and the Defendant placed on probation and ordered to pay a fine of \$500.00 to the Wake County Clerk of Court within 30 days of this Order.

**McFalls, Jeremy  
Hendersonville, NC**

Allegations of heating contracting without a valid license. Permanent Injunction by Summary Judgment filed 7/28/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**McIntyre, Steve  
Little River, SC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 7/12/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Rohm, David M.  
Tampa, FL**

Appeal of Resolution conference negotiated with opposing attorney. Final Order executed 6/30/23 with Consent placing license on probation based on concerns surrounding supervision.

**Russell, Jeremy  
Norwood, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 7/12/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Start Jr., Timothy M.  
Hampstead, NC**

Allegations of plumbing contracting without a valid license. Judgment of Permanent Injunction filed 7/12/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Thorpe Jr., Roscoe  
Monroe, NC**

Allegations of heating contracting without a valid license. Judgment of Permanent Injunction filed 7/10/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.