

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

March 2024

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

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Phone: 919-875-3612

**www.nclicensing.org
www.ncplumbing.org
www.ncheating.org
www.ncfiresprinkler.org**

Board Proposes New Rules

The Board has recently filed a number of proposed rule changes with the North Carolina Rules Review Commission.

A Public Hearing will be held at 8:30 a.m. on Friday, April 12, 2024, at the Hampton Inn & Suites, 1989 Eastwood Road, Wilmington, NC.

Public comments will be accepted by the Executive Director via mail, email or telephone through May 14, 2024. Please refer to the contact information contained in the document for further information.

The proposed rules are published beginning on Page 2 of this newsletter. Items proposed for deletion are shown with strikethrough (~~example~~) and proposed new items are shown with underline (example).

The full text is also available for download via a temporary link on the Home page of the Board's website at www.nclicensing.org.

New Rules on Hydrofluorocarbons, Including Refrigerants, to Take Effect January 1, 2025

The American Innovation and Manufacturing (AIM) Act was enacted on December 27, 2020, which authorized the Environmental Protection Agency (EPA) to address hydrofluorocarbons (HFCs).

The Final Rule was signed on October 5, 2023, restricting the use of certain HFCs in refrigeration, air conditioning, and heat pump products. The rule has three major goals, including prohibiting the manufacture and import of certain HFCs, prohibiting the sale, distribution and export of these products three (3) years after the manufacture and import restriction date, and prohibiting the installation of new refrigeration, air conditioning, and heat pump products using the newly regulated HFCs.

The new rules will affect entities that manufacture, import, export, sell, distribute, or install systems or products that use the regulated HFCs in refrigeration and air-conditioning equipment systems, as well as heat pumps.

It is important to note that the rule does not affect or restrict the continued use of any existing products or systems, and existing systems will be allowed to remain in operation until the end of their useful life. A product or system may be serviced and repaired during its useful life. Such service and repair shall include replacing components as needed. Furthermore, the manufacture, import, export, sale and distribution of such components may continue.

Examples that are not considered as service or repair include assembling a system for the first time using new or used components, increasing the cooling BTU capacity of a system, or replacing 75 percent or more of evaporators and 100 percent of compressor racks, condensers, and connected evaporator loads of an existing system.

A link to the complete document can be found on the Board's website at www.nclicensing.org.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 50 – BOARD EXAMINERS OF PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS

Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors intends to adopt the rule cited as 21 NCAC 50 .0318 and amend the rule cited as 21 NCAC 50 .0301 and .0306

Link to agency website pursuant to G.S. 150B-19.1(c): <https://nclicensing.org>

Proposed Effective Date: July 1, 2024

Public Hearing:

Date: April 12, 2024

Time: 8:30 a.m.

Location: 1989 Eastwood Road, Wilmington NC 28403

Reason for Proposed Action: The Board proposes to adopt new rule 21 NCAC 50 .0318 to define "license in good standing" for the purposes of implementing G.S. 87-21(b)(3) which states evidence that a license has been continuously maintained for a minimum of 10 years in good standing as a Class II plumbing license shall be accepted as experience for the Class II heating qualifications and that evidence that a license has been continuously maintained for a minimum of 10 years in good standing as a Class II heating license shall be accepted as experience for the Class II plumbing qualifications. This Board believes this language will assist and inform applicants as to the interpretation of "license in good standing" and thereby streamline the application process in this context.

The Board proposes to amend 21 NCAC 50 .0301 to add technician language for both Class I and Class II for plumbing and heating group 1 and 3 licenses and also to clarify the experience required for obtaining a restricted plumbing license for applicants who hold a license from either the North Carolina Irrigation Contractor Licensing Board or the North Carolina On-Site Wastewater Contractors and Inspectors Certification Board. The Board believes that existing technician categories in plumbing and heating groups 1 and 3 classifications should be available in both Class I and Class II as members of the licensed profession have indicated this will be useful in carrying out supervision responsibilities. The Board further believes the amendment to clarify the experience required for obtaining a restricted plumbing license for applicants who hold a license from either the North Carolina Irrigation Contractor Licensing Board or the North Carolina On-Site Wastewater Contractors and Inspectors Certification Board will assist and inform applicants and thereby streamline the application process in this context.

Comments may be submitted to: Dale Dawson, 1109 Dresser Court, Raleigh, NC 27609; phone (919) 875-3612; email ddawson@nclicensing.org

Comment period ends: May 14, 2024

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to oah.rules@oah.nc.gov. If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

State funds affected

Local funds affected

Substantial economic impact (>= \$1,000,000)

Approved by OSBM

No fiscal note required

SECTION .0300 - EXAMINATIONS

21 NCAC 50 .0301 QUALIFICATIONS DETERMINED BY EXAMINATION

(a) In order to determine the qualifications of an applicant, the Board shall provide a written or computer-based examination in the following categories:

- (1) Plumbing Contracting, Class I
- (2) Plumbing Contracting, Class II
- (3) Heating, Group No. I - Contracting, Class I
- (4) Heating, Group No. I - Contracting, Class II

- (5) Heating, Group No. 2 - Contracting, Class I
- (6) Heating, Group No. 3 - Contracting, Class I
- (7) Heating, Group No. 3 - Contracting, Class II
- (8) Fuel Piping Contractor
- (9) Fire Sprinkler Installation Contractor
- (10) Fire Sprinkler Inspection Contractor
- (11) Residential Fire Sprinkler Installation Contractor
- (12) Restricted Limited Plumbing Contractor
- (13) Fire Sprinkler Inspection Technician
- (14) Limited Fire Sprinkler Maintenance Technician
- (15) ~~Plumbing Technician~~ Technician, Class I
- (16) ~~Plumbing Technician~~ Technician, Class II
- ~~(16)~~(17) ~~Heating Group No. 1 Technician~~ Technician, Class I
- (18) ~~Heating Group No. 1 Technician~~ Technician, Class II
- ~~(17)~~(19) Heating Group No. 2 Technician
- ~~(18)~~(20) ~~Heating Group No. 3 Technician~~ Technician, Class I
- (21) ~~Heating Group No. 3 Technician~~ Technician, Class II
- ~~(19)~~(22) Fuel Piping Technician
- ~~(20)~~(23) Private Educational Institution Plumbing Technician
- ~~(21)~~(24) Private Educational Institution Heating Group 1 Technician
- ~~(22)~~(25) Private Educational Institution Heating Group 2 Technician
- ~~(23)~~(26) Private Educational Institution Heating Group 3 Technician
- ~~(24)~~(27) Residential Fire Sprinkler Design Contractor

(b) Each person being examined by the Board for a contractor license other than a Fire Sprinkler Installation or Fire Sprinkler Inspection Contractor license shall be required to pass both the business and law part and the technical part of the examination required by G.S. 87-21 (b).

(c) Applicants for licensure as a Fire Sprinkler Installation Contractor shall submit evidence of current certification by the National Institute for Certification of Engineering Technologies (NICET) for Automated Sprinkler System Layout as the prerequisite for licensure. Applicants for licensure as a Fire Sprinkler Installation Contractor shall pass the business and law part of the exam administered by the Board. Persons licensed based upon NICET certification shall maintain such certification as a condition of license renewal.

(d) Applicants for licensure in the Fire Sprinkler Inspection Technician classification shall pass the technical examination offered by the Board. The Board shall accept the results of NICET examination resulting in Level II Certification in "Inspection and Testing of Water-based Systems" by NICET. Persons who obtain license as a Fire Sprinkler Inspection Technician based on NICET certification shall maintain such certification as a condition of license renewal.

(e) Applicants for licensure as a Fire Sprinkler Inspection Contractor shall submit evidence of Level III certification in "Inspection and Testing of Water-based Fire Systems" by NICET in lieu of the technical part of the Board-administered examination. Applicants for licensure as a Fire Sprinkler Inspection Contractor shall also pass the business and law part of the examination administered by the Board. Contractors who obtain license by NICET certification shall maintain such certification thereafter as a condition of license renewal.

(f) Applicants for a license in the Limited Fire Sprinkler Maintenance Technician classification shall obtain a license based on maintenance experience, education, and job classification set forth in Rule .0306 and pass a test administered by the Board.

(g) Applicants for a license as a Residential Fire Sprinkler Installation Contractor shall obtain a license based on experience set forth in Rule .0306 and shall pass the technical part of the Residential Fire Sprinkler Installation Contractor examination.

(h) Applicants for a license as a Plumbing, Heating, or Fuel Piping Technician shall obtain a license based on experience set forth in Rule .0306 of this Section and shall pass the Class I or the Class II technical and Board laws and rules parts of the Board-administered examination related to the category for which a technician license is sought.

(i) Applicants who hold an active Plumbing, Heating, or Fuel Piping Technician license obtained by examination may obtain the Plumbing, Heating or Fuel Piping Contractor license in the same category and class by meeting the experience requirement listed in Rule .0306 of this Section for the specific contractor license sought and passage of only the business portion of the examination.

(j) Applicants for a license as a Restricted Limited Plumbing Contractor shall obtain a license based on experience set forth in Rule .0306 of this Section and shall be required to pass both the business and law part and the technical parts of the Restricted Limited Plumbing Contractor examination.

(k) In lieu of the requirements of Paragraph (j) of this Rule, applicants for a Restricted Limited Plumbing Contractor License who present a current active License from the North Carolina Irrigation Contractor Licensing Board may take the examination, provided the applicant demonstrates that he or she holds certification as a Backflow Inspector from one of the municipalities in North Carolina, or demonstrates 500 hours of experience in the maintenance, service, or repair of components of plumbing systems.

(l) In lieu of the requirements of Paragraph (j) of this Rule, applicants for a Restricted Limited Plumbing Contractor License who present a current active certification as an On-site Wastewater Contractor issued through the North Carolina On-Site Wastewater Contractors and Inspectors Certification board may take the examination, provided the applicant demonstrates that he or she has attended a minimum of 8 semester hours of education in a plumbing program through a North Carolina Community College program or demonstrates 500 hours of experience in the maintenance, service, or repair of components of plumbing systems.

History Note: Authority G.S. 87-18; 87-21(a); 87-21(b);
Eff. February 1, 1976;
Readopted Eff. September 29, 1977;

*Amended Eff. July 1, 1991; May 1, 1989; August 1, 1982;
 Temporary Amendment Eff. September 15, 1997;
 Amended Eff. March 1, 2005; January 1, 2004; July 1, 2003; August 1, 2002; July 1, 1998;
 Emergency Amendment Eff. December 5, 2005;
 Emergency Amendment Expired February 13, 2006;
 Amended Eff. April 1, 2014; July 3, 2012; January 1, 2010; May 1, 2006;
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015;
 Amended Eff. July 1, 2020.*

21 NCAC 50 .0306 APPLICATIONS: ISSUANCE OF LICENSE

- (a) All applicants for licensure or examination shall file an application setting forth the information required in G.S. 87-21 and the rules of this Chapter on a form available on the Board website or at the Board office.
- (b) Applicants for a plumbing or heating examination shall present evidence at the time of application to establish two years of full-time experience in the installation, maintenance, service, or repair of plumbing or heating systems related to the category for which a license is sought, whether or not a license was required for the work performed. Applicants for a fuel piping examination shall present evidence at the time of application to establish one year of experience in the installation, maintenance, service, or repair of fuel piping, whether or not a license was required for the work performed. Up to one-half of the experience may be in academic or technical training related to the field of endeavor for which examination is requested. The Board shall prorate part-time work of less than 40 hours per week or part-time academic work of less than 15 semester or quarter hours.
- (c) The Board shall issue a license certificate bearing the license number assigned to the qualifying individual.
- (d) Fire Sprinkler Installation Contractors shall meet experience requirements in accordance with NICET examination criteria.
- (e) Applicants for examination or licensure in the Fire Sprinkler Inspection Technician classification shall submit evidence adequate to establish that the applicant has either:
- (1) 4000 hours of experience involved in inspection and testing of previously installed fire sprinkler systems, consistent with NFPA-25, Standard for the Inspection Testing as Maintenance of Water-Based Fire Protection Systems of the National Fire Protection Association, adopted by the North Carolina Building Code, which is hereby incorporated by reference including all subsequent editions and amendments to the document as a full-time employee of a Fire Sprinkler Inspection Contractor or fire insurance underwriting organization;
 - (2) 4000 hours of experience as a full-time employee of a hospital, manufacturing, government, or university facility under direct supervision of Fire Sprinkler Inspection Contractor or a Fire Sprinkler Inspection Technician involved in inspection and testing of previously installed fire sprinkler systems, consistent with NFPA 25: Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, which is hereby incorporated by reference including all subsequent editions and amendments. The document may be accessed free of charge at <http://www.nfpa.org/codes-and-standards/>;
 - (3) 4000 hours of experience involved in installation of fire sprinkler systems as a full-time employee of a Fire Sprinkler Installation Contractor; or
 - (4) a combination of 4000 hours of experience in any of the categories listed in this Paragraph.
- (f) Applicants for licensure in the Fire Sprinkler Inspection Contractor classification shall meet experience requirements in accordance with NICET certification criteria.
- (g) Applicants for initial licensure in the Limited Fire Sprinkler Maintenance Technician classification shall submit evidence of 2000 hours experience at the place for which license is sought as a full-time maintenance employee in facility maintenance with exposure to periodic maintenance of fire protection systems as described in Rule .0515 of this Chapter. Applicants who have held Limited Fire Sprinkler Maintenance Technician license previously are not required to demonstrate experience in addition to the experience at the time of initial licensure, but shall submit a new application if relocating to a new location.
- (h) Applicants for licensure in the Residential Fire Sprinkler Installation Contractor classification shall hold an active Plumbing Class I or Class II Contractor license issued by this Board for a minimum of two years and shall document attendance at a 16 hour course approved by the Board pursuant to the Rules in this Chapter covering NFPA 13D: Standard for the Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured Homes, which is hereby incorporated by reference including all subsequent editions and amendments. The document may be accessed free of charge at <http://www.nfpa.org/codes-and-standards/>. Residential Fire Sprinkler Installation Contractors shall maintain a Plumbing Contractor license as a condition of renewal of the Residential Fire sprinkler Installation Contractor license.
- (i) Applicants for a license as a plumbing or heating Class I technician shall present evidence adequate to establish 3000 hours of full-time experience in the installation, maintenance, service, or repair of plumbing or heating systems related to the category for which a technician license is sought, whether or not a license was required for the work performed. Applicants for a license as a plumbing or heating Class II technician shall present evidence adequate to establish 2500 hours of full-time experience in the installation, maintenance, service, or repair of plumbing or heating systems related to the category for which a technician license is sought, whether or not a license was required for the work performed. Applicants for a license as a fuel piping Class I technician shall present evidence adequate to establish 1500 hours of experience in the installation, maintenance, service, or repair of fuel piping, whether or not a license was required for the work performed. Applicants for a license as a fuel piping Class II technician shall present evidence adequate to establish 1500 hours of experience in the installation, maintenance, service, or repair of fuel piping, whether or not a license was required for the work performed. Up to one-half of the experience may be in academic or technical training related to the field of endeavor for which the examination is requested.
- (j) Applicants for a Restricted Limited Plumbing Contractor license shall present evidence at the time of application to establish 1500 hours of full-time experience in the installation, maintenance, service, or repair of plumbing systems, whether or not a license was required for the work performed. Up to one-half of the experience may be in academic or technical training related to the field of endeavor for which exam-

ination is requested. The Board shall prorate part-time work of fewer than 40 hours per week or part-time academic work of less than 15 semester or quarter hours.

(k) In lieu of the requirements of Paragraph (j) of this Rule, applicants for a Restricted Limited Plumbing Contractor License who present a current active License from the North Carolina Irrigation Contractor Licensing Board may take the examination, provided the applicant demonstrates that he or she holds certification as a Backflow Inspector from one of the municipalities in North Carolina, or demonstrates 500 hours of experience in the maintenance, service, or repair of components of plumbing systems.

(l) Applicants for license based on completion of an apprenticeship program as described in G.S. 93B-8.6(b) shall meet the same experience and training requirements for the category of license sought as is set forth in this Rule.

History Note: Authority G.S. 87-18; 87-21(b);
Eff. February 1, 1976;
Readopted Eff. September 29, 1977;
Amended Eff. January 1, 2004; July 1, 2003; August 1, 2002; July 1, 1998; September 1, 1994;
November 1, 1993; April 1, 1991; May 1, 1990;
Temporary Amendment Eff. August 31, 2004;
Amended Eff. April 1, 2014; July 3, 2012; January 1, 2010; June 1, 2006; March 1, 2005;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015;
Amended Eff. July 1, 2020; April 1, 2018.

21 NCAC 50.0318 LICENSE IN GOOD STANDING

A license has been maintained in good standing for the purposes of G.S. 87-21(b)(3) if the license:

- (1) has remained continuously active for 10 years as of the date of the application request;
- (2) is current as to all fees payable to the Board as of the date of the application request; and
- (3) has not been the subject of a disciplinary order that imposed a sanction that included supervised probation, suspension, revocation or restoration of a revoked license during the 10-year period preceding the date of the application request for a Class II plumbing or heating license.

Authority: G.S. 87-18; 87-21(b)(3).

All Board Laws and Rules Available for Viewing or Purchase

The Board operates under, and enforces, laws and rules established by the North Carolina General Assembly and Rules Review Commission.

Board Laws are contained in North Carolina General Statutes Chapter 87, Article 2

Board Rules are contained in Title 21, North Carolina Administrative Code, Chapter 50

These may be viewed by visiting the Board's website at www.nclicensing.org and clicking on the Board Laws and Rules tab in the menu bar.

A bound Laws and Rules book may be purchased by visiting the website and clicking on the Online Services button in the header. This book is required for anyone taking the Business Law portion of licensing exams, and for anyone attending the Board Laws & Rules course, which is offered quarterly and is free to attend.

Free Board Laws and Rules Course Offered

The Board has offered a free Laws and Rules Course for over a decade, and thousands of applicants and licensees have completed the class.

It is offered in Raleigh and Statesville on a quarterly basis. Beginning at 8:30 a.m., it last for approximately four hours, and covers all of the content contained the Board Laws and Rules book, which may be purchased by visiting the Board's website at www.nclicensing.org and clicking on the Online Services button in the header.

The schedule for the remainder of 2024 is below:

Raleigh dates: May 8th August 7th November 13th

Statesville dates: May 9th August 8th November 14th

Interested persons must pre-register for the class by visiting the Board's website at www.nclicensing.org, clicking on the Education tab in the menu bar, scrolling to the bottom of the page, and completing the registration information.

North Carolina State Agencies

NC Department of Insurance	919-647-0000 800-634-7854	NC Department of Labor	919-807-2796
• Dan Dittman (Plumbing Interpretations)	919-647-0012	NC Department of Revenue	919-252-3052
• Kate Whalen (Mechanical & Gas Interpretations)	919-647-0033	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
		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

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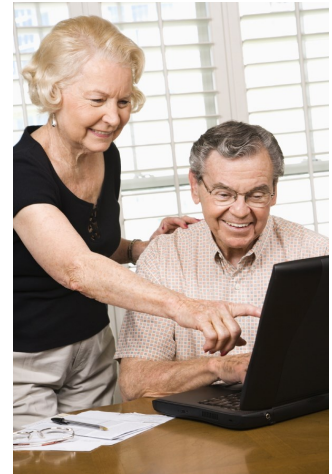
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To view a regional map and listing of counties, please visit our website at www.nclicensing.org and click on the "Administrative Officers" button, or simply [click here](#).

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. Delete Sub-licensee
4. License Activation (for examinees who have passed examination)
5. Request for Copy of License
6. Class II Plumbing or Heating Exam

Forms Requiring No Payment

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

Renewal Forms

1. 2024
2. 2024 and Previous Year(s)

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

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 Register of Licensees
3. Request for Verification of License
4. 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
Gauldin, Zane	Eden	11/15/2023	Shepard, Damon L.	Wilmington	11/30/2023
Howard, David L.	China Grove	11/02/2023	Waddell, Jonathan	Lansing	10/23/2023

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
Boyle, Donald B.	Hendersonville	12/12/2023	Roache, Randy	Moyock	12/13/2023
Carter, Jeffery S.	Elizabethtown	11/07/2023	Salazar, Luis F.	Manteo	12/06/2023
Macklin, Justin L.	Bolivia	12/21/2023	Schmuker, Mary H.	Hampstead	11/08/2023
Marcia, Jose A.	Mt. Pleasant	01/08/2024	Tanner, Noah L.	Roanoke Rapids	11/21/2023
McCollin, Nathan R.	Mills River	12/08/2023	Velasquez, Rene A.	Hillsborough	10/25/2023
Norris, Adam J.	Boone	10/31/2023	Willis, Jeremy L.	Lawndale	11/13/2023
Rhyne, Cody M.	Statesville	01/09/2024	Yoder, Joseph J.	Columbus	12/04/2023

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) or upon written request to the Board's office.

Bost, Lee R., III **Wilmington, NC** **License# 8379 PH-1,2&3-I**

Allegations licensee allowed the use of the license by an unlicensed firm and failed to provide supervision.

Resolution Conference held 11/27/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Lee R. Bost, III, number 8379 PH-1,2&3-I, be surrendered to the Board. The license status will be revoked.

Cabanaw, James T., Jr. **Carolina Temperature Control** **Murrells Inlet, SC** **License# 19035 H-2&3-I**

Allegations licensee 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 general contractor, the work was not performed by the licensee or bona-fide employees of the licensee, the work was not supervised by the licensee and the licensee did not receive the contractual payment for the job, allowed the

use of the license by an unlicensed firm, Tropic-Kool out of Florida, for the new commercial project installation, failed to provide supervision, and failed to respond to the board's investigator after several attempts and voice messages.

Resolution Conference held 11/27/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of James T. Cabanaw, Jr., number 19035 H-2&3-I, and that of the firm shall be placed suspended 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. Upon successful completion of the suspension, his license, number 19035 H-2&3-I, and that of the firm shall be placed on supervised probation for a period of eighteen (18) months.

Carver, Aaron W.
Air Concepts
Liberty, NC
License# 21256 H-3-I

Allegations of misconduct, license issuance, selling license, and failure to provide adequate supervision.
Aaron Carter signed Proposed Resolution Agreement 10/26/2023.
 The Review Committee found that the allegations were supported by the evidence and recommended that the license of Aaron Carver, number 21256 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other requirements during probation, 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, and the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Christian, Tilford
Christian Plumbing
Carolina Beach, NC
License# 12858 P-I

Allegations licensee failed to provide supervision, violated the minimum standard of the North Carolina State Plumbing Code, and failed to respond to the General Contractor for repairs within a timely manner.
Resolution Conference held 11/27/2023.
 The Review Committee found that the allegations were supported by the evidence and recommended that the license of Tilford B. Christian, number 12858 P-I, and that of the firm shall be placed on 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.

DiMone, Sean A.
DiMone – Parlier Plumbing, Inc.
Wilmington, NC
License# 33066 P-I

Allegations licensee 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 11/29/2023.
 The Review Committee found that the allegations were supported by the evidence and recommended that the license of Sean DiMo-

ne, number 33066 P-I, and that of the firm shall be placed on 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.

Downie, Robert D.
Bolivia, NC
License# 14169 H-2&3-I

Allegations licensee failed to provide supervision, failed to execute contracts, failed to meet the 1,500-hour minimum requirement of being in the firm's office or on the firm's job sites, failed to perform load calculation(s), and obtained permits and allowed his license number to appear on a permit on a job where the licensee did not execute the contract with the homeowner or general contractor and the licensee did not perform general supervision.
Resolution Conference held 11/28/2023.
 The Review Committee found that the allegations were supported by the evidence and recommended that the license of Robert D. Downie, number 14169 H-2&3-I, and the license of the firm be suspended for a period of eighteen (18) months.

Gideons, Jeremy
Glenn Gideon Heating & Cooling
Burgaw, NC
License# 26943 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 inspections, failed to provide adequate supervision and failed to perform load calculation(s).
Resolution Conference held 11/28/2023.
 The Review Committee found that the allegations were supported by the evidence and recommended that the license of Jeremy Gideons, number 26943 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 probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Glenn, Christopher S.
Rocky Point, NC
License# 31619 P-I

Allegations licensee failed to provide adequate supervision and violated the minimum standard of the North Carolina State Plumbing Code.
Resolution Conference held 11/28/2023.
 The Review Committee found that the allegations were supported by the evidence and recommended that the license of Christopher S. Glenn, number 31619 P-I, 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 and the series of Special Mechanical Code courses and the series of Special Plumbing Code and Design courses.

Gregory, Darol R.
Darol Gregory Plumbing
North Wilkesboro, NC
License# 13558 P-I

Allegations licensee failed to withhold taxes and paid an unlicensed individual using a 1099 Form in violation of Board rule 21 NCAC 50.0512.
Darol Gregory signed Proposed Resolution Agreement 10/23/2023.
 The Review Committee found that the allegations were supported by the evidence and recommended that the license of Darol Gregory, number 13558 P-I, and that of the firm shall be placed on unsupervised probation for a period of twelve months. Among other requirements during probation, the licensee 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. The licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Gurganus, Clifton
Sun Coast Homes & Development, Inc.
Newport, NC
License# 10009 P-II

Allegations licensee failed to provide supervision, allowed the use of license by unlicensed persons multiple times, violated the minimum standard of the North Carolina State Plumbing Code, failed to insulate water piping in the attic and failed to properly insulate water piping in the garage, failed to sleeve the water distribution pipe and the building drain line that pass through the masonry foundation, failed to have the main water distribution a minimum of 12" below the grade (only about 2" deep), failed to secure T & P PEX piping at water heater, failed to properly seal clean out at foundation penetration, outside shower water piping is not insulated, failed to properly support PEX and PVC piping in the attic, and failed to seal plumbing fixtures to floor.
Resolution Conference held 11/29/2023.
 The Review Committee found that the allegations were supported by the evidence and recommended that the license of Clifton Eugene Gurganus, number 10009 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, within 60 days of this agreement being approved and if allowed by the homeowner, Clifton Eugene Gurganus shall purchase a new permit, return to this job and correct any and all plumbing code violations at his expense. Clifton Eugene Gurganus may,

in his discretion, hire another properly licensed plumbing contractor to correct all the code violations, also at the expense of Clifton Eugene Gurganus. Within 70 days of approval of this agreement Mr. Gurganus shall submit to the board documentation showing that the work performed was reviewed, is NC Code compliant and approved by the local inspection department. 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.

Hanson, Barry
Barry Hanson Plumbing
Mount Pleasant, NC
License# 24528 P-I

Allegations of misconduct, failure to provide adequate supervision, State Plumbing Code violation(s), failed to obtain a permit and inspection(s) and installation issues.

Barry Hanson signed Proposed Resolution Agreement 11/22/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Barry Hanson, number 24528 P-I, and that of the firm shall be placed on unsupervised probation for a period of (12) months. Among other requirements of the probation, by December 15th, 2023, assure that his license has been listed with the Board in the name that he currently operates his business. The licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Hill, Sharon
Beaufort Carolina Comfort, Inc.
Beaufort, NC
License# 35704 H-3-I

Allegations licensee failed to provide supervision, violated the minimum standard of the North Carolina State Mechanical Code, licensee failed to perform load calculation and the staff member that performed the load calculation performed an incorrect calculation that had errors, and failed to hold a signed contract with the homeowner (for the equipment installation and a separate contract for the duct replacement).

Resolution Conference held 11/29/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Sharon Hill, number 35704 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other requirements during probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Holloway, Matthew
MOF LLC DBA Michael & Son Services
of North Carolina, LLC

Wilmington, NC
License# 33517 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 inspections,

failed to provide proper supervision in that the work performed was plumbing, the firm did not hold a plumbing license at the time and the H-3 licensee performed the supervision on the plumbing installation and contracted and performed work outside current licensing qualification.

Resolution Conference held 09/20/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Matthew Holloway, number 33517 H-3-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other requirements during probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Hollowell, Jeffrey
Lighthouse Plumbing
Newport, NC
License# 30244 P-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 inspections, failed to provide adequate supervision, violated the minimum standard of the North Carolina State Plumbing Code, violated probation (probation period from 7-9-2019 until 7-9-2020): failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work, and failed to obtain final inspections.

Resolution Conference held 11/27/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Jeffrey Hollowell, number 30244 P-I, and that of the firm shall be placed on unsupervised probation for a period of eighteen (18) months. Among other requirements during probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course and the licensee shall enroll in, attend, and complete the series of Special Plumbing Code and Design courses.

Jackson, Brent S.
Jackson's Heating & Air, LLC
Forest City, NC
License# 29074, H-3-I

Allegations of misconduct, failure to obtain a permit prior to commencing work, failed to obtain final inspections within ten (10) days of substantial completion of the work.

Brent Jackson signed Proposed Resolution Agreement 10/18/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Brent Jackson, number 29074, H-3-I, and that of the firm shall be placed on unsupervised probation for a period of twenty-four months. Among other requirements of the probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Liverman, Joshua
Avalon Plumbing
Kill Devil Hills, NC
License# 35050 P-I

Allegations of misconduct, job abandonment, failure to respond to customer, contractual issues, licensee failed to obtain permit(s) prior to commencing work, failed to request inspections within 10 days of substantial completion of work.

Joshua Liverman signed Proposed Resolution Agreement 12/06/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Joshua Liverman, number 35050 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 probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Stephens, Robert J.
Three Amigo's Heating and Air, LLC
Dover, NC
License# 29750 H-2-&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 inspections, failed to perform load calculation(s), and violated the minimum standard of the North Carolina State Mechanical Code.

Resolution Conference held 11/30/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of Robert Stephens, number 29750 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, within 20 days from today (by December 19, 2023) the licensee shall assure that the board has his proper contact information (addresses, email, phone number, etc.) listed under his license. The licensee shall enroll in, attend, and complete the Special Board Laws & Rules course.

Wilson, William
Wilson Family Mechanical, LLC
Murphy, NC
License# 35537, H-3-I

Allegations of misconduct, incompetence, license issuance, licensee failed to obtain permit(s) prior to commencing work, and failed to request inspections within 10 days of substantial completion of work.

William Wilson signed Proposed Resolution Agreement 12/06/2023.

The Review Committee found that the allegations were supported by the evidence and recommended that the license of William Wilson, number 35537, H-3-I, and that of the

firm shall be placed on unsupervised probation for a period of twelve months. Among other requirements during probation, the licensee shall enroll in, attend, and complete the Special Board Laws & Rules course. Also, by December 1st, 2023, the contractor shall return to the homes located at 170 Lizzie Elliott Road, and perform a thorough Manual J load calculation, and a Manual S equipment sizing calculation. If the calculations reveals that the equipment or ductwork is improper-

ly sized or mismatched, then the contractor shall obtain a permit from the local inspection department, replace the improperly sized equipment with properly sized equipment and obtain a final inspection by December 15th, 2023. The contractor shall submit evidence to the board by December 22nd, 2023, of the final inspection. This work shall be performed at no expense to the homeowners.

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.

Avila, Jack Vid Raleigh, NC

Allegations of heating contracting without a valid license. Permanent Injunction by Summary Judgment filed 12/22/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Berryhill, Eric H. Bessemer City, NC

Allegations of heating contracting without a valid license in violation of prior Judgment of Permanent Injunction. Order of Contempt filed 7/13/23 and Defendant sentenced to 10 days of jail time.

Blake, Curtis W. West End, NC

Surrender Order approved 12/13/23.

Blundy, Bret Denver, NC

Allegations of plumbing contracting without a valid license. Permanent Injunction by Summary Judgment filed 12/22/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Crudup, William A. Youngsville, NC

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

Cryderman, Kenneth Lyle Candler, NC

Allegations of plumbing contracting without a license in violation of permanent injunction. Order of Criminal Contempt filed 1/30/24. The Defendant was sentenced to 30 days in

the Wake County Jail; however the sentence was suspended and the Defendant placed on 12 months' unsupervised probation and order to pay a \$500.00 fine to the Wake County Clerk within 30 days of the entry of this Order.

Edgerton, Corey M. Asheville, NC

Allegations of heating contracting without a valid license. Permanent Injunction by Summary Judgment filed 1/22/24 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Flores, Ricardo E. Princeton, NC

Allegations of fuel piping contracting without a valid license. Permanent Injunction by Summary Judgment filed 1/10/24 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Groomas, David Shalotte, NC

Allegations of plumbing contracting without a valid license. Permanent Injunction by Summary Judgment filed 12/11/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Hagan, Brandon J. Kannapolis, NC

Allegations of heating contracting without a valid license. Permanent Injunction by Summary Judgment filed 1/25/24 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Jackson, Patrick T. Clover, SC

Allegations of plumbing contracting without a valid license. Permanent Injunction by Summary Judgment filed 1/25/24 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Jennings, Michael Wilmington, NC

Formal hearing held. Final Order issued 12/28/23 denying application to sit for H-3 Exam due to experience deficiencies.

Keen, Josh Kenly, NC

Allegations of heating contracting without a valid license. Order Granting Permanent Injunction by Summary Judgment filed 2/6/24.

Iller, Alf B. Asheville, NC

Allegations of plumbing contracting without a valid license. Permanent Injunction by Summary Judgment filed 1/3/24 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Miller, Waller M. Wilmington, NC

Allegations of heating contracting without a valid license. Permanent Injunction by Summary Judgment filed 10/12/23 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

Newsome, Marquis A. Jacksonville, NC

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

**Nipper, Joseph
Raleigh, NC**

Allegations of plumbing contracting without a valid license. Permanent Injunction by Summary Judgment filed 1/25/24 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Sawa, Deborah S.
Moorestown, NJ**

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

**Singleton, Jonathan R.
Morganton, NC**

Allegations of heating contracting without a valid license. Permanent Injunction by Summary Judgment filed 1/31/2024 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Singleton, Ricky R.
Morganton, NC**

Allegations of heating contracting without a valid license. Permanent Injunction by Summary Judgment filed 1/31/2024 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Sparks, Zachary J.
Hildebran, NC**

Allegations of heating contracting without a valid license. Permanent Injunction by Sum-

mary Judgment filed 1/26/24 enjoining the Defendant from engaging in business as a plumbing or heating contractor until properly licensed to do so.

**Welch, James T.
Waynesville, NC**

Allegations of heating contracting without a valid license in violation of the 7/1/19 Judgment of Permanent Injunction. Order of Criminal Contempt filed 1/30/24. The Defendant was sentenced to 30 days in the Wake County Jail; however, the sentence was suspended and the Defendant placed on 12 months' unsupervised probation and order to pay a \$500.00 fine to the Wake County Clerk and \$500.00 to Plaintiff Board for court costs within 30 days of the entry of this Order.