

COURT CASES

CASE FILE NUMBER: 2007-20

NON-LICENSEE: Raymond Cecil Brown and
Raymond Brown Well Drilling

ADDRESS: P. O. Box 337
Danbury, NC 27016

VIOLATION: Engaging in the business of electrical contracting without a license.

COURT ACTION: Civil action instituted in Stokes County Superior Court resulting in the entry of a Court Order on January 24, 2008 whereby Raymond Cecil Brown, Individually and d/b/a Raymond Brown Well Drilling Company are permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, except when he holds a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: January 24, 2008

CASE FILE NUMBER: 2007-90

NON-LICENSEE: Mickey Moore, Individually
and d/b/a Moore Mechanical
Services

ADDRESS: 2020 Twilight Lane
Monroe, NC 28110

VIOLATION: Engaging in the business of electrical contracting in violation of Court Order.

COURT ACTION: Court action instituted in Granville County Superior Court resulting in entry of Order of Contempt on February 4, 2008, finding Mr. Moore guilty of criminal contempt of the prior order of the Court (Permanent Injunction Order entered by the Court on June 22, 2000) sentencing Mr. Moore to pay \$500.00 restitution to the property owners and serve 30 days in the Mecklenburg County jail with 22 days of those 30 days being suspended upon the defendant committing no further violations and serving a term total of 8 days in the Mecklenburg County jail beginning in April, 2008. The Permanent Injunction Order previously entered by the Court on June 22, 2000 shall remain in effect at all times when the defendant does not possess a license from the Board.

EFFECTIVE DATE: February 4, 2008

CASE FILE NUMBER: 2007-183

NON-LICENSEE: Kenneth Augusta Jones,
individually and d/b/a
Jeremiah Jones,
Shorty Jones, Mike Jones and G-Man

ADDRESS: 820 Miller Street
New Bern, NC 28560

VIOLATION: Engaging in the business of electrical contracting without a license.

COURT ACTION: Civil action instituted in Craven County Superior Court resulting in the entry of a Court Order on February 19, 2008 whereby Kenneth Augusta Jones, Individually and d/b/a Jeremiah Jones, Shorty Jones, Mike Jones and G-Man are permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, except when he holds a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: February 18, 2008

CASE FILE NUMBER: 2007-206

NON-LICENSEE: John Fitzgerald
d/b/a J. H. Home Improvement

ADDRESS: 189 Boomer Lane
Canton, NC 28716

VIOLATION: Engaging in the business of electrical contracting in violation of Court Order.

COURT ACTION: Court action instituted in Haywood County Superior Court resulting in entry of Order of Contempt on March 26, 2008, finding Mr. Fitzgerald guilty of criminal contempt of the prior order of the Court (Consent Judgment entered by the Court on June 29, 2007). The Defendant is ordered to pay restitution to Christopher Psaltis in the amount of \$1,934.57, a fine of \$500.00 to the Clerk of Superior Court of Haywood County and sentenced to serve 30 days in the Haywood County Jail with 22 of those 30 days being suspended upon Defendant committing no further violations and

serving a term total of 8 days in the Haywood County jail beginning March 28, 2008. The Permanent Injunction Order previously entered by the Court on June 29, 2007 shall remain in effect at all times when the defendant does not possess a license from the Board.

EFFECTIVE DATE: March 26, 2008

CASE FILE NUMBER: 2007-213
NON-LICENSEE: John W. Gilbert
ADDRESS: 1120 Fries Street
Salisbury NC 28144

VIOLATION: Engaging in the business of electrical contracting in violation of Court Order.

COURT ACTION: Court action instituted in Rowan County Superior Court resulting in entry of Order of Contempt on January 28, 2008, finding Mr. Gilbert guilty of criminal contempt of the prior order of the Court (Permanent Injunction Order entered by the Court on September 17, 2001). The Court fined Mr. Gilbert \$500.00 and ordered him arrested by the Sheriff of Rowan County to serve 30 consecutive days in the Rowan County jail. The Permanent Injunction Order previously entered by the Court on September 17, 2001 shall remain in effect at all times when the defendant does not possess a license from the Board.

EFFECTIVE DATE: January 28, 2008

NOTICE OF VIOLATION

CASE FILE NUMBER: 2007-188
LICENSEE: Darren Burdette Clark
ADDRESS: 1175 Hunters Run
Raeford, NC 28376

LISTED QUALIFIED INDIVIDUAL:
Darren Burdette Clark

LICENSE NUMBER: 21810-PH
VIOLATION(S): Violation of North Carolina General Statutes. 87-47 (a1)(1) and (7) in that the firm engaged in an electrical contracting project located at 103 Lake Tree Boulevard, Spring Lake, NC and;
(1) Engaged in the referenced project with an expired license; and
(2) Engaged in unethical conduct in the use of his license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand.
There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: February 21, 2008

CASE FILE NUMBER: 2007-203
LICENSEE: Denton Electric Inc.
ADDRESS: 4813 Webbs Chapel Church Rd.
Denver, NC 28037

LISTED QUALIFIED INDIVIDUAL:
Alfred Floyd Denton

LICENSE NUMBER: 18865-L
VIOLATION(S): Violation of North Carolina General Statutes. 87-47 (a1)(1)(5) and (7) in that the firm engaged in an electrical contracting project located at 4919 Webbs Chapel Road, Denver, NC and;
(1) Exceeded the scope of the Limited license classification by engaging in the referenced project; and
(2) Engaged in unethical conduct in the use of his license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand.
There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: February 21, 2008

CASE FILE NUMBER: 2007-214
LICENSEE: Harlan Laws Corporation
ADDRESS: P. O. Drawer 15070
Durham, NC 27704

LISTED QUALIFIED INDIVIDUAL:

Steven Lee Clark

LICENSE NUMBER: 25221-SP-ES

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(5) in that the firm renewed the electrical contracting license by listing a qualified individual that is no longer employed.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: February 21, 2008

CASE FILE NUMBER: 2007-261

LICENSEE: Full Service Electric

ADDRESS: 3901-G Wrightsville Avenue
Wilmington, NC 28403

LISTED QUALIFIED INDIVIDUAL:

John Joseph Iacovone

LICENSE NUMBER: 21984-L

VIOLATION(S): Violation of North Carolina General Statutes 87-43, 87-47 (a1)(6) and (7) in that the firm:

- (1) Failed to operate all electrical contracting business in the name as licensed by the Board; and
- (2) Engaged in unethical conduct in the use of the license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a \$500.00 civil penalty and one (1) year probation with suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) No further violation of the General Statutes or the Rules of the Board;
- (2) Obtain written and signed contracts for all electrical projects over one hundred dollars (\$100.00) in value;
- (3) Obtain all required electrical permits prior to starting any electrical projects and assure that final inspections have been performed within 10 days of substantial completion; and
- (4) Properly supervise and direct all employees and projects.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: February 21, 2008

CASE FILE NUMBER: 2007-268

LICENSEE: William Arthur Bell

ADDRESS: 625 Glensford Drive
Fayetteville NC

LISTED QUALIFIED INDIVIDUAL:

William Arthur Bell

LICENSE NUMBER: 22044-L

VIOLATION(S): Violation of North Carolina General Statutes. 87-47 (a1)(2)(3) and (7) in that the firm:

- (1) Sold and transferred the license to Fine-Way Inc. (unlicensed firm);
- (2) Aided and abetted Jeffrey Alan Tew (unlicensed person) to engage in the business of electrical contracting; and
- (3) Engaged in unethical conduct in the use of his license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a \$1,000.00 civil penalty and two (2) years probation with revocation of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) No further violation of the General Statutes or the Rules of the Board;
- (2) Obtain written and signed contracts for all electrical projects over one hundred dollars (\$100.00) in value;
- (3) Obtain all required electrical permits prior to starting any electrical projects and assure that final inspections have been performed within 10 days of substantial completion; and
- (4) Properly supervise and direct all employees and projects.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: February 21, 2008

CASE FILE NUMBER: 2007-274

LICENSEE: Leonard Booth

ADDRESS: 209 Weaver Street
Spring Lake, NC 28390

LISTED QUALIFIED INDIVIDUAL:

Leonard N. Booth

LICENSE NUMBER: 4694-L

VIOLATION(S): Violation of North Carolina General Statutes. 87-47 (a1)(2)(3) and (7) in that the firm:

- (1) Sold and transferred the license to Marshall Bullard (unlicensed person);
- (2) Aided and abetted Marshall Bullard (unlicensed person) to engage in the business of electrical contracting;
- (3) Failed to provide adequate supervision in the use of his license; and
- (4) Engaged in unethical conduct in the use of his license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a \$1,000.00 civil penalty and two (2) years probation with revocation of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) No further violation of the General Statutes or the Rules of the Board;
- (2) Obtain written and signed contracts for all electrical projects over one hundred dollars (\$100.00) in value;
- (3) Obtain all required electrical permits prior to starting any electrical projects and assure that final inspections have been performed within 10 days of substantial completion; and
- (4) Properly supervise and direct all employees and projects.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: February 21, 2008

CASE FILE NUMBER: 2007-280

LICENSEE: Staton's Electrical Construction Service

ADDRESS: 812 E. Church Street
Tarboro, NC 27886

LISTED QUALIFIED INDIVIDUAL:

Donald Ray Staton

LICENSE NUMBER: 24703-SFD

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(1)(5) and (7) in that the licensee engaged in an electrical contracting project at the Hemby-Willoughby Mortuary located at 266 NC 33 East, Tarboro, NC and;

- (1) Exceeded the scope of the Single Family Dwelling (SP-SFD) license classification by engaging in the referenced commercial project; and
- (2) Engaged in unethical conduct in the use of the license.

BOARD ACTION: The Board, acting through its staff, proposed a warning affidavit and verbal warning.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: February 21, 2008

CASE FILE NUMBER: 2007-293

LICENSEE: Ballance Electric

ADDRESS: 6781 North Lake Road
Fairfield, NC 27826

LISTED QUALIFIED INDIVIDUAL:

Geraldine Geneviene Lucas

LICENSE NUMBER: 16099-L

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1) (7), Board Rule .0306, Board Rule .0907(c) in that the licensee performed electrical contracting work at 116 Church Street, Swan Quarter, NC and;

- (1) Failed to complete project in a timely manner after receiving full payment; and;
- (2) Geraldine Geneviene Lucas the listed qualified individual, did not direct and supervise electrical work performed on the project by employee Tunney Balance.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and twenty four (24) months probation with suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) Have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;
- (2) Obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;
- (3) Maintain job files or other written records of contracts made and installations performed;
- (4) Utilize no personnel on any job except:(A)-Persons receiving a IRS Form W-2 from Balance Electric, or (B)-An employee of both Balance Electric and a labor supplier such as Manpower, Tradesman, Work Force, etc.;
- (5) Utilize only IRS Form W-2 employees of Ballance Electric as qualifiers, job superintendents or foreman;
- (6) Subcontract no jobs to other licensed electric contractors;

- (7) Take steps to assure that a person holding qualification license from the Board visit every job prior to every inspection request;
- (8) Maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the of the staff of the Board; and
- (9) Commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: February 21, 2008

CASE FILE NUMBER: 2007-301

LICENSEE: Mr. Electric of Charlotte LLC

ADDRESS: 4714 Stockholm Court, Suite 106
Charlotte NC 28273

LISTED QUALIFIED INDIVIDUAL:

Robert Edwin Minkert

LICENSE NUMBER: 26735-U

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(7) and Board Rule .0402 in that the firm:

- (1) Failed to operate all electrical contracting business in the name of Mr. Electric of Charlotte, LLC as licensed by the Board;
- (2) Failed to properly supervise work carried out by employees; and
- (3) Engaged in malpractice in the use of the license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a \$500.00 civil penalty and one (1) year probation with suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

No further violation of the General Statutes or the Rules of the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: June 17, 2008

CASE FILE NUMBER: 2007-303

LICENSEE: Brady Trane Service Inc.

ADDRESS: 1915 N. Church Street
Greensboro, NC 27405

LISTED QUALIFIED INDIVIDUAL:

Jeffrey Allen Pitts

LICENSE NUMBER: 20455-U

VIOLATION(S): Violation of North Carolina General Statutes 87-43, 87-47 (a1) (2)(3)(5)(7) in that the licensee sub-contracted an electrical contracting project owned by the University of North Carolina at Greensboro to Avtech Energy Service, Inc., an unlicensed firm.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a one thousand (\$1,000.00) civil penalty and twelve (12) months probation on the condition that the firm commit no further violation of the General Statutes or the Rules of the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: February 21, 2008

CASE FILE NUMBER: 2007-304

LICENSEE: Holmes & Reed, Inc.

ADDRESS: 124 Knotty Pine Lane
 Mooresville NC 28117

LISTED QUALIFIED INDIVIDUAL:

Melvin H. Holmes II

LICENSE NUMBER: 16071-L

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(2)(3) and (7) in that the firm obtained the electrical permit on three (3) separate projects for MT Electrical (unlicensed firm) and:

- (1) Sold and transferred the license to MT Electrical (unlicensed firm);

- (2) Aided and abetted MT Electrical (unlicensed firm) to engage in the business of electrical contracting;
- (3) Failed to provide adequate supervision in the use of the license; and
- (4) Engaged in unethical conduct in the use of the license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a \$1,000.00 civil penalty for each offense, totaling \$3,000.00 and two (2) years probation with suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

No further violation of the General Statutes or the Rules of the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: June 17, 2008

CASE FILE NUMBER: 2007-306

LICENSEE: Network Electrical Services Inc. of
Raleigh

ADDRESS: 4609 North Fork Drive
Zebulon NC 27597

LISTED QUALIFIED INDIVIDUAL:

Eugene Herbert Mantych Jr.

LICENSE NUMBER: 5865-L

VIOLATION(S): Violation of North Carolina General Statutes. 87-47 (a1)(2)(3)(5)and (7) in that the firm:

- (1) Assigned the license to Jay Thomas Mantych (unlicensed person) by allowing him to offer to engage in the Enterprize electrical contracting project located at 1301 Capital Boulevard, Raleigh NC;
- (2) Aided and abetted Jay Thomas Mantych (unlicensed person) to engage in the business of electrical contracting; and
- (3) Engaged in unethical conduct in the use of the license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a one thousand dollar (\$1,000.00) civil penalty and twenty four (24) months probation with suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) Have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;
- (2) Obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;
- (3) Maintain job files or other written records of contracts made and installations performed;
- (4) Utilize no personnel on any job except:(A)-Persons receiving a W-2 from Network Electrical Services Inc. of Raleigh, or (B)-An employee of both Network Electrical Service Inc. of Raleigh and a labor supplier such as Manpower, Tradesman, Work Force, etc.;
- (5) Utilize only W-2 employees of Network Electrical Services Inc. of Raleigh as qualifiers, job superintendents or foreman;
- (6) Subcontract no jobs to other licensed electrical contractors;

- (7) Take steps to assure that a person holding qualification license from the Board visit every job prior to every inspection request;
- (8) Maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the of the staff of the Board; and
- (9) Commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: February 21, 2008

CASE FILE NUMBER: 2007-313

LICENSEE: Coastal Electric Contracting
Company

ADDRESS: 9010 Piney Woods Rd.
Fairfield, NC 27826

LISTED QUALIFIED INDIVIDUAL:

Anthony Loring Russ

LICENSE NUMBER: 5167-U

VIOLATION(S): Violation of North Carolina General Statutes 87-43, 87-47 (a1) (2)(3)(5)(7), Board Rule .0306 and 160A-417 in that the licensee performed electrical contracting work at the Waste Treatment Plant and Spray Field project, Camden County, NC and;

- (1) Sub-contracted electrical work to persons that did not hold a valid North Carolina Electrical Contractor License and;
- (2) Failed to acquire the required electrical permit in a timely manner.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a \$1,000.00 civil penalty and twenty four (24) months probation with suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) Have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;
- (2) Obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;

- (3) Maintain job files or other written records of contracts made and installations performed;
- (4) Utilize no personnel on any job except:(A)-Persons receiving a IRS Form W-2 from Coastal Electric Contracting Company, or (B)-An employee of both Coastal Electric Contracting Company and a labor supplier such as Manpower, Tradesman, Work Force, etc.;
- (5) Utilize only IRS Form W-2 employees of Coastal Electric Contracting Company as qualifiers, job superintendents or foreman;
- (6) Subcontract no jobs to other licensed electric contractors;
- (7) Take steps to assure that a person holding qualification license from the Board visit every job prior to every inspection request;
- (8) Maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the of the staff of the Board; and
- (9) Commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: February 21, 2008

CASE FILE NUMBER: 2007-321

LICENSEE: Construct Inc.

ADDRESS: P.O. Box 3262
Wilson, NC 27895

OWNER: Jonathan S. Barbee

LICENSE NUMBER: #9152-U

VIOLATION(S): Violation of North Carolina General Statutes 87-43, 87-43.2, 87-47 (a1) (1) (3) (5) (6) (7) and Board Rule .0401 in that the license issued to Construct Inc. became inactive on August 15, 2007 when Johnny Ray Gardner, listed qualified individual left employment and;

(1) Construct Inc. continued advertising electrical services, making and submitting bids and performing electrical contracting work after the license became inactive; and

(2) Construct Inc. continue operating the electrical contracting business during the period the license was inactive; and

(3) Engaged in malpractice in the practice of electrical contracting.

BOARD ACTION: The Board, acting through its staff

proposed the imposition of a reprimand, a civil penalty in the amount of five hundred dollars (\$500.00) and one (1) year probation, with conditions that Construct Inc. commit no further violation of the General Statutes or Rules of the Board. In the event of failure to comply with the probation conditions the Board may impose a sanction of twelve months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: June 17, 2008

CASE FILE NUMBER: 2007-323

LICENSEE: M & J Electrical Contractors, Inc.

ADDRESS: 229 Oakridge Road
Stanley, NC 28164

LISTED QUALIFIED INDIVIDUAL:

Micah Cyril Mahadeo

LICENSE NUMBER: 23784-L

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(2)(3) and (7) in that the firm obtained the electrical permit on four (4) separate projects for MT Electrical (unlicensed firm) and: (1) Sold and transferred the license to MT Electrical (unlicensed firm);

(2) Aided and abetted MT Electrical (unlicensed firm) to engage in the business of electrical contracting;

(3) Failed to provide adequate supervision in the use of the license; and

(4) Engaged in unethical conduct in the use of the license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a \$1,000.00 civil penalty for each offense, totaling \$4,000.00 and two (2) years probation with suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

No further violation of the General Statutes or the Rules of the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: June 17, 2008

CASE FILE NUMBER: 2008-9

LICENSEE: Construct Inc.

ADDRESS: P.O. Box 3262
Wilson, NC 27895

QUALIFIED INDIVIDUAL:

Alan Keith Beaman

LICENSE NUMBER: #9152-U

VIOLATION(S): Violation of North Carolina General Statutes 87-43, 87-43.2, 87-47 (a1) (1) (3) (5) (6) (7) and Board Rule .0401 in that the license issued to Construct Inc. became inactive on August 15, 2007 when Johnny Ray Gardner, listed qualified individual left employment and;

(1) Construct Inc. continued advertising electrical services, making and submitting bids and performing electrical contracting work after the license became inactive; and

(2) Construct Inc. continue operating the electrical contracting business during the period the license was inactive; and

(3) Engaged in malpractice in the practice of electrical contracting.

BOARD ACTION: The Board, acting through its staff proposed the imposition of a reprimand and one (1) year probation, with conditions that Alan Keith Beaman commit no violation of the General Statutes or Rules of the Board. In the event of failure to comply with the probation conditions the Board may impose a sanction of twelve months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: June 17, 2008

CASE FILE NUMBER: 2008-58

LICENSEE: Kirby’s Electrical Service

ADDRESS: 100 South Oakum Street.
Edenton, NC 27932

LISTED QUALIFIED INDIVIDUAL:

Leslie Y. Kirby

LICENSE NUMBER: 3398-U

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(7) and General Statute 160A-417 in that the licensee performed electrical contracting work at 902-C Martin Luther King Jr. Avenue, Edenton, NC and;

(1) Installed electrical contracting work with violations of the National Electrical Code;

(2) Failed to obtain required electrical permit; and

(3) Engaged in malpractice in the use of his license.

BOARD ACTION: The Board, acting through its

staff, proposed that Leslie Y. Kirby enroll in an approved Standard Level I Electrical Inspector Course and present evidence of a passing score by August 31, 2008. Staff further proposed twenty four (24) months probation with conditions not to commit any further violation of the General Statutes or the Rules of the Board. In the event of failure to comply with the probation conditions, the Board may impose a sanction of twelve (12) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: June 17, 2008

CASE FILE NUMBER: 2008-68

LICENSEE: Curtis Electric LLC

ADDRESS: 2312 Crab Point Loop Road
Morehead City NC 28557

LISTED QUALIFIED INDIVIDUAL:

Gene Curtis Jones

LICENSE NUMBER: 6021-L

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(6)(7), General Statute 160A-417 and Board Rule .0402 (B) in that the licensee performed electrical contracting work at 1601 Razorbill Court, Morehead City, NC and;

(1) Installed electrical contracting work with violations of the National Electrical Code;

(2) Failed to obtain required electrical permit;

(3) Failed to operate all electrical contracting business in the name of Curtis Electric LLC as licensed by the Board; and

(4) Engaged in malpractice in the use of his license.

BOARD ACTION: The Board, acting through its staff, proposed a \$500.00 civil penalty, that Gene Curtis Jones enroll in an approved Standard Level I Electrical Inspector Course and present evidence of a passing score by September 30, 2008 and that Gene Curtis Jones be barred from seeking Continuing Education Course Sponsor approval or Continuing Education Course Instructor approval for twenty four (24) months. Staff further proposed twenty four (24) months probation with conditions not to commit any further violation of the General Statutes or the Rules of the Board. In the event of failure to comply with the probation conditions, the Board may impose a sanction of twelve (12) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: June 17, 2008

CASE FILE NUMBER: 2008-78

LICENSEE: Flow Electric Company

ADDRESS: 4026 Barber Mill Road
Clayton NC 27520

LISTED QUALIFIED INDIVIDUAL:

Robbie Flow

LICENSE NUMBER: 24475-L

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1) (7) in that the licensee performed electrical contracting work at 305 South Slocumb Street, Goldsboro, NC and;

(1) Even though paid in advance, failed to complete electrical work in a timely manner as agreed with the owner; and

(2) Engaged in malpractice in the use of his license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and twenty four (24) months probation with conditions not to commit any further violation of the General Statutes or the Rules of the Board. In the event of failure to comply with the probation conditions, the Board may impose a sanction of twelve (12) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: June 17, 2008

CASE FILE NUMBER: 2008-84

LICENSEE: Lewis Services

ADDRESS: 929 Falls Church
Charlotte, NC 28270

LISTED QUALIFIED INDIVIDUAL:

Charles Ray Lewis

LICENSE NUMBER: 17364-L

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (7), 87-43.2 (1), Rule .0402 (b) and (c) in that:

(1) qualified individual failed to be on regular active duty during normal business hours that the company was available for contracting and doing work;

(2) contracting work in a company name other than the name listed on the license of the qualifier; and

(3) engaged in malpractice in the practice of electrical contracting.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a \$500.00 civil penalty and one (1) years probation with suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

No further violation of the General Statutes or the Rules of the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: June 17, 2008

CASE FILE NUMBER: 2008-104

LICENSEE: Fifa Electric Company

ADDRESS: 3202 Motorsports Lane #6
Charlotte NC 28269

LISTED QUALIFIED INDIVIDUAL:

Lue Vang

LICENSE NUMBER: 26353-L

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(2)(3) and (7) in that the firm:

(1) Sub-contracted electrical work to Tony Lawrence (unlicensed individual) and;

(2) engaged in misconduct, malpractice, and negligence in the practice of electrical contracting, by allowing Tony Lawrence (unlicensed individual) to sign contracts and proposals for your firm.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and twenty four (24) months probation with suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

(1) Have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;

(2) Maintain individual job files fore each job contracted by he company, with permit and all pertinent information; and

(3) Commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: June 17, 2008

ORDERS

CASE FILE NUMBER: 2006-238 and 2008-7

LICENSEE: Beacon Electrical Contractors

ADDRESS: 814 Roxboro Rd.

Haw River, NC 27258

LISTED QUALIFIED INDIVIDUAL:

Joseph Lloyd Clark

LICENSE NUMBER: 24833-L

VIOLATION(S): 1. An Order was entered by the Board on October 24, 2004 placing the license of Respondent, and status as a qualifying individual, on probation for a period of one (1) year.

2. This proceeding was instituted by the issuance of a Notice of Hearing on August 20, 2007 scheduling the matter for hearing before the Board on September 13, 2007 or as soon thereafter as the matter could be reached.

3. The matter was heard as scheduled on September 13, 2007. Respondent did not appear. The Board heard the testimony of witnesses, and reviewed the exhibits. The Board entered an Order dated October 3, 2007, based upon the matters set forth in Paragraph 9 hereafter.

4. The Respondent was served with a written copy of the Order on October 27, 2007 and filed a Petition for Judicial Review in the Wake County Superior Court on November 21, 2007.

5. The Board heard a Motion for Reconsideration during the pendency of the Appeal, and entered an Order granting reconsideration and staying the prior Order, contingent on dismissal of the November 2007 Superior Court appeal.

6. The appeal was dismissed without prejudice on April 4, 2008, and license was reinstated pending a new hearing as of the dismissal date. The appeal was dismissed with prejudice on May 12, 2008.

7. The matter was heard by the Board on June 3, 2008. The Board made findings as set out below.

8. On or about May 8, 2006, Respondent entered into a contract to install an electrical system consisting of rough-in wiring for a house located at Lot 31, Heritage Glen at Fuquay-Varina, N.C., under contract with Graham Building for the contract sum of \$6,000.00. In the course of the contract, Respondent:

(a) failed to complete the contract even though Respondent had been paid fifty percent (50%) of the contract price;

(b) forced the building contractor to hire an electrical contractor to complete the project in a timely manner;

(c) filed a lien against the subject property to collect for the final electrical work which the firm did not complete;

(d) failed to remove the lien on the project property and failed to pay the building contractor \$500.00 as agreed with Board staff;

(e) failed or refused to contact Board staff after multiple attempts to contact Respondent; and

(f) engaged in unethical conduct in the use of his license.

9. On or about May 8, 2007, Respondent entered into a contract on a project consisting of renovations to existing electrical systems in an apartment complex located at 325 Davis St. E., Burlington, N.C., under contract with Matt Robinson, Owner, for valuable consideration. In the course of the contract, Respondent:

(a) exceeded the project cost limitations of his license;

(b) misstated the size and scope of the work to be done on his initial permit application;

(c) began and completed a service change on the property, beyond the scope of the permit above, without first purchasing a permit;

(d) made a splice inside a roof penetration sleeve for HVAC linesets and wiring on NM cable without the use of a junction box;

(e) installed NM cable to rooftop HVAC equipment and required service receptacles;

(f) failed to support NM cables run vertically in HVAC chase/closets; and

(g) failed to complete the job in a timely manner resulting in his replacement at a loss to the owner.

10. The Board took notice that the matter set forth with respect to the Robinson job above occurred after the probation and after the matters set forth in paragraph 8 above were being heard before the Disciplinary Committee of the Board on May 9, 2007.

BOARD ACTION: Based upon the foregoing Findings of Fact and Conclusions of Law, the Board **ORDERED:**

1. That the license of Respondent firm and the status of Respondent, Joseph Lloyd Clark as a qualifying individual be suspended for a period of two (2) years.

2. Before reinstatement of license, Respondent shall take the required continuing education by attendance at live programs for all years prior to the reinstatement of license.

3. During the suspension Respondent shall perform no work for which license from the Board is required except as a W-2 employee of a licensed electrical contractor.

4. Following restoration of license, Respondent is placed on probation for a period of five (5) years, during which Respondent shall comply with the following terms and conditions:

- (a) have written contracts signed by the Respondent and customer for each installation in excess of \$100.00 for which Respondent is responsible;
 - (b) obtain permits covering the full scope of work for each contract prior to commencement of work;
 - (c) maintain a job file for each job, containing the records of that project, including a copy of the contract and permit;
 - (d) request inspection within 10 days of substantial completion, as to both the rough-in and final stage of the project;
 - (e) receive no more than 50% of the contract amount prior to passing final inspection;
 - (f) take and pass the Board's Contractor Disciplinary Business Class before the end of the first year of the probation;
 - (g) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules of the Board;
 - (h) during the period of probation, Respondent shall submit quarterly reports documenting his compliance with the provisions of this probation order by either sending them directly to the Board's office or contacting the Board's Field Representative that the documents are ready for his review; and,
 - (i) commit no violation of Article 4, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board.
5. During the period of probation, the foregoing records and the contracting activities of the Respondent shall be monitored by the staff of the Board.
6. In the event of violation of terms of this Order, this Order may be entered into evidence together with evidence of any such violation and license will be permanently revoked.

EFFECTIVE DATE: August 2, 2008

Mr. Clark has appealed to Superior Court.

CASE FILE NUMBER: 2006-279

LICENSEE: Prevatt Electric Co.

ADDRESS: 522 B W Elm St.
Graham, NC 27253

LISTED QUALIFIED INDIVIDUAL:

David Lawrence Prevatt Jr.

LICENSE NUMBER: 24233-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1), (5) and (7) in that:

1. On or about September 10, 2003, Respondent entered into a contract to install an electrical system at a residence located at 210 Albany Street, Burlington, N.C., under contract with Gwen Norton. In the course of the work, Respondent:

- (a) failed to obtain required permits and inspections in violation of the North Carolina State Building Code;
 - (b) failed to install wiring in accordance with North Carolina State Electrical Code, N.F.P.A. 70 National Electrical Code; and
 - (c) failed to respond to proposed Notice of Violation issued by the Board staff.
2. The Respondent failed to disclose a criminal conviction on Unlimited Examination Application filed on July 19, 2006, and on License Renewal Application filed on July 20, 2006, in that he was convicted of communicating threats on May 12, 2006, which constituted misrepresentation to obtain license.
3. The Respondent was previously sanctioned by the Board on June 16, 2002 for failure to obtain permits and inspections.
4. The Respondent was also previously sanctioned by the Board by a reprimand, a \$500.00 Civil Penalty and License was placed on twelve (12) months probation.

BOARD ACTION: The Board entered the following order:

- 1. That the license of Respondent firm and the status of Respondent, David Lawrence Prevatt, as a qualifying individual be suspended for a period of two (2) years.
- 2. The period of suspension may be reduced to one (1) year provided Respondent presents evidence to the Board that he enrolled in, completed and passed the Board Contractor Disciplinary Business Course.
- 3. During the period of suspension, Respondent may complete any jobs for which permits had been issued as of the date of the Order.
- 4. Following completion of suspension and restoration of license, Respondent is placed on probation for a period of two (2) years, during which Respondent shall comply with the following terms and conditions:
 - (a) have written contracts signed by the Respondent and customer for each installation in excess of \$100.00 for which Respondent is responsible;
 - (b) obtain permits as required for each contract prior to commencement of work;
 - (c) maintain a job file for each job, containing the records of that project, including a copy of the contract and permit;
 - (d) request inspection within 10 days of substantial completion, as to both the rough-in and final stage of the project;
 - (e) maintain a service log of all contracts and service calls by date of initial call and including the date of first response;
 - (f) during the period of probation, Respondent shall have the foregoing records available for review by Board staff during normal business hours; and,

(g) commit no violation of Article 4, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board.

5. That in the event of violation of terms of the probation this Order may be entered into evidence together with evidence of any such violation and license will be revoked.

EFFECTIVE DATE: January 26, 2008

CASE FILE NUMBER: 2007-111

LICENSEE: H.R. and Company Electrical Contractors Inc.

ADDRESS: 2266 Rodgers School Road
Williamston, NC 27892

LISTED QUALIFIED INDIVIDUAL:

Horace Lavon Rodgers

LICENSE NUMBER: 16095-U

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (5) and (7) in that:

1. During April 2007, an employee of Respondent contracted with Brenda Dudley Moody to carry out electrical work at a residence located at 301 East Academy Street, Robersonville, N.C.

2. Respondent obtained the required permit on the job but failed to obtain the permits before the work began. Respondent contended the local inspector knew about it. Respondent admitted that the work was originally contracted to his unlicensed employees rather than to himself.

3. After the job failed inspection, Respondent undertook to complete the work. He testified that he supervised from a wheelchair.

4. In March 2007 Virginia Strevel entered into an agreement with Terry Hickman, unlicensed, to carry out electrical work at her house at 525 West Boulevard, Williamston, N.C.

5. The Respondent testified that when the necessity for a different electrical meter became known, Mr. Hickman came to the Respondent.

6. The Respondent testified that his involvement was to change the electrical service and that he pulled the permit because he was going to change the service.

7. The Respondent testified that Ms. Strevel was supposed to furnish all material for Terry Hickman and that Hickman had agreed to do all work other than changing the service.

8. The Respondent testified that he completed the job for Ms. Strevel knowing that the local inspector, Joseph Griffin, was holding the problems in the Moody job over

his head and testified that he was never paid by Virginia Strevel.

9. The Respondent admitted the permit was taken out using his license inasmuch as Mr. Hickman had taken the job during the time Respondent was in the hospital.

10. The Respondent admitted that his men may work on a job for a whole month without his supervision but that he would go and see about it before calling in an inspector for an inspection.

11. The Respondent testified that both jobs before the Board in this matter were called for inspection before he looked at the jobs.

12. The Respondent admitted that he was on probation by this Board during the entire time in question.

13. The Respondent understood the Board's Order required him to get all permits, to have contracts for any job permitted, no matter what was customary in Martin County. Respondent understood he was to comply with the Rules and get permits before he started work.

14. The Respondent did not disclose an assault on a female conviction on his license renewal applications and bad checks.

15. The Respondent has not crawled underneath a house to supervise electrical work carried out under his license in ten (10) years.

BOARD ACTION: Based upon the foregoing Findings of Fact and Conclusions of Law, the Board entered the following order:

1. That the license and qualifications of Horace Lavon Rodgers, be revoked.

2. Respondent may request reinstatement of license after a period of three (3) years.

3. Prior to reissuance of license to Respondent at the conclusion of the three (3) years, the Board will require at a minimum, that Respondent present evidence to the Board that during the revocation he has:

(a) taken and passed 60 hours Continuing Education coursework;

(b) paid a \$1,000.00 civil penalty; and

(c) not been convicted of any violation of the laws of the State of North Carolina, with the exception of traffic infractions.

EFFECTIVE DATE: February 20, 2008

CASE FILE NUMBER: 2007-133 and 2007-170

LICENSEE: Hoke Electrical Solutions

ADDRESS: P.O Box 620702

Charlotte, NC 28262-0111

LISTED QUALIFIED INDIVIDUAL:

Frank Joseph Hoke

LICENSE NUMBER: 25865-L

VIOLATION(S): 1. The Board received notice on May 11, 2007, from North Carolina Child Support Enforcement, that Respondent was delinquent in Court-ordered Child Support. Subsequent to that Notice and pursuant to G.S. 110-142.1, a letter was sent by the Board on May 21, 2007 advising Respondent his license might be revoked after twenty (20) days if the arrearage issue was not addressed. Respondent was provided time to address the issues with the Department of Social Services. The Board received no Certification from the North Carolina Child Support Enforcement that Respondent was no longer delinquent in child support payments. The Board is required by law to impose suspension under these conditions.

2. Violation of North Carolina General Statute 87-47 (a1), (5) and (7) in that on or about October 10, 2006, Respondent entered into a contract to install an electrical system at a residence located at 600 McDonald Avenue, Charlotte, N.C., under contract with Will Phipps for the contract sum of \$7,650.00. In the course of the contract, Respondent:

(a) failed to install wiring in accordance with the North Carolina State Electrical Code, N.F.P.A. 70 National Electrical Code;

(b) had multiple failed inspections due to Code violations and incomplete work; and

(c) failed to complete the project in a timely manner resulting in the need to hire another electrical contractor to complete the project at an additional cost.

3. Respondent failed to disclose a criminal conviction on license renewal filed on August 10, 2005 in that Respondent was convicted of resisting a public officer on May 23, 2005.

BOARD ACTION: The Board entered the following order:

1. That the license of Respondent firm and the status of Respondent, Frank Joseph Hoke, as a qualifying individual be suspended until child support is paid and the Board receives notification from the North Carolina Child Support Enforcement.

2. Prior to reissuance of license to Respondent at the conclusion of the suspension, Respondent shall have presented evidence to the Board that during the suspension, he has taken and passed the Board Contractor Disciplinary Business course.

3. Respondent is admonished of the importance that he:

(a) have written contracts signed by the Respondent and customer for each installation for which Respondent is responsible;

(b) obtain permits as required for each contract prior to commencement of work;

(c) maintain a job file for each job, containing the records of that project, including a copy of the contract and permit; and

(d) request inspection within 10 days of substantial completion, as to both the rough-in and final stage of the project.

EFFECTIVE DATE: January 26, 2008

CASE FILE NUMBER: 2007-175

LICENSEE: Longwood Electric

ADDRESS: P.O. Box

Longwood, NC 28452

LISTED QUALIFIED INDIVIDUAL:

Willie Earl Daniels

LICENSE NUMBER: 8174 SP-SFD

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (1),(2),(3) and(7) in that:

1. Respondent undertook to perform electrical contracting work on 82 properties located in New Hanover County, North Carolina. In the course of work on the projects Respondent:

(a) sold, transferred and assigned his license to Darrell Smith and Derek Marlowe, both unlicensed individually, for electrical installations;

(b) aided and abetted Darrell Smith and Derek Marlowe, on electrical projects by subcontracting to the independent contractors with no electrical license for the projects;

(c) exceeded the scope of Respondent's license for Single Family Dwelling License by installing wiring in three (3) commercial condominiums;

(d) failed to install wiring in accordance with the North Carolina State Electrical Code, N.F.P.A. 70 National Electrical Code;

(e) failed to complete electrical projects in a timely fashion and eventually abandoned the project;

(f) failed to supervise the wiring installations; and

(g) engaged in malpractice and unethical conduct in the use of his license.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the license of Respondent firm and the status of Respondent, Willie Earl Daniels, as a qualifying individual be revoked.

2. That the Board not consider reinstatement prior to January 2010;

3. That the license not be reinstated by the Board unless Respondent appears in person before the Board and presents evidence to the Board that he has:

(a) arranged to obtain and pass a final inspection on all open permits and corrected any violation of the Electrical Code;

(b) paid any outstanding fees and penalties to the local inspection department; and

(c) completed the required Continuing Education courses as set forth in the Rules of the Board, including hours for each year during the period of revocation.

4. In the event of restoration of the Respondent's license to engage in business as an electrical contractor, the license shall be placed on probation for a period of two (2) years.

5. During the period of probation, Respondent shall comply with the following conditions of probation:

(a) have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;

(b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;

(c) utilize no personnel on jobs other than persons who are bona fide employees, receive a W-2 from Respondent and are subject to withholding of income tax;

(d) maintain job files or other written records of contracts made and installations performed;

(e) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and

(f) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

There was no objection from Mr. Willie Earl Daniels and the Recommended Order was approved by the Board as a Final Order on February 20, 2008.

EFFECTIVE DATE: February 20, 2008

CASE FILE NUMBER: 2007-185

LICENSEE: Midsouth Electric

ADDRESS: 3924 Sunnyside School Road
Fayetteville, NC 28301

LISTED QUALIFIED INDIVIDUAL:

Jason Lee Autry

LICENSE NUMBER: 24833-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (2), (3), (5) and (7) in that:

1. During July 2007, an electrical system was installed at a residence located at 103 Lake Tree Blvd., Spring Lake, N.C. In the course of the installation, Respondent:

(a) obtained a permit for electrical wiring installed by Johnson Controls employees; and

(b) engaged in electrical contracting while license was expired by purchasing a permit on the expired license.

2. Respondent did not consult with Board staff or the local inspection department before purchasing the permit for work performed by others. Respondent did not have any contact with the property owner.

3. Respondent failed to disclose a misdemeanor dated January 10, 2005, on his license renewal application.

4. The Board noted that Respondent has been late on his license renewals and late on his continuing education on more than one occasion.

BOARD ACTION: 1. The license of Respondent firm and the status of Respondent, Jason Lee Autry as a qualifying individual was placed on probation for a period of two (2) years.

2. During the period of probation, Respondent is to comply with the following conditions of probation:

(a) have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;

(b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation within 10 days of substantial completion of the work;

(c) maintain job files or other written records of contracts made and installations performed;

(d) buy no permits except for work for which Respondent has the contract, receive all contractual payments and perform all work personally or through the use of his own employees who receive a W-2 from him;

(e) pay a civil penalty of \$1,000.00 within ninety (90) days;

(f) enroll in, attend, and pass the Contractor Disciplinary Business class conducted by Contractor Education Service, LLC. within 18 months;

(g) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board;

(h) renew license prior to expiration each year;

(i) complete continuing education requirements prior to expiration of license each year,

(j) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

3. During the period of probation, the foregoing records and the contracting activities of the Respondent shall be monitored by the staff of the Board.

4. In the event of violation of terms of this probation order, this Order may be entered into evidence together with evidence of any such violation and license will be revoked.

EFFECTIVE DATE: July 30, 2008

CASE FILE NUMBER: 2007-266

LICENSEE: Ken Pearson Electrical

ADDRESS: 79 Locust Street

Marshall, NC 28753

LISTED QUALIFIED INDIVIDUAL:

Kenneth Eugene Pearson

LICENSE NUMBER: 20535-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (7) in that:

1. Respondent undertook to perform electrical contracting work on property owned by David B. Pulsifer located on Quail Ridge, Lot # 24, Bush Creek Development, Swain County, North Carolina. In the course of work on the project, Respondent violated G.S. 87-47(a1)(7), in that Respondent:

(a) engaged in unethical conduct by delaying completion of the electrical contracting project;

(b) caused the property owner to terminate the contract and hire another electrical contractor to take over the project;

(c) failed to provide adequate supervision and direct work carried out by employees of Respondent;

(d) failed to promptly communicate with the property owner;

(e) failed to install wiring in accordance with the North Carolina State Electrical Code, N.F.P.A. 70 National Electrical Code; and

(f) engaged in malpractice and unethical conduct in the use of his license.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the license of Respondent Ken Pearson Electrical and the status of Respondent, Kenneth Eugene Pearson and as a qualifying individual be placed on probation for a period of five (5) years.

2. During the period of probation, Respondent shall comply with the following conditions of probation:

(a) have written contracts or proposals signed by the licensee and customer for each installation with project costs over \$100.00, for which licensee is responsible;

(b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;

(c) maintain job files or other written records of contracts made and installations performed;

(d) within 12 months of final action by the Board, enroll in and pass the Board Disciplinary Business Course offered by Umpire Technology and also a minimum of 24 in-person contact hours of continuing education on the National Electric Code, in addition to the usual continuing education course requirements;

(e) actively supervise and direct all employees and projects in accordance with Board Rule .0907(c);

(f) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and

(g) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

3. In the event of failure to comply with the conditions of probation, the status of Respondent as a qualified individual and the license of the firm shall be suspended for a period of two (2) years.

There was no objection from Mr. Kenneth Eugene Pearson and the Recommended Order was approved by the Board as a Final Order on June 16, 2008.

EFFECTIVE DATE: June 16, 2008

CASE FILE NUMBER: 2007-292

LICENSEE: Quality Pools

ADDRESS: 1001 S. Poplar Street

Elizabethtown, NC 28337

LISTED QUALIFIED INDIVIDUAL:

Byron Davis

LICENSE NUMBER: 19071-SP-SP

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (7) in that:

Respondent undertook to perform electrical contracting work on properties located at 22040 Peacock Road, 7128 Old Lumberton Road and 1375 Carl Stephens Road in Columbus County, North Carolina. In the course of work on the projects Respondent:

- (a) failed to obtain required electrical permit for swimming pool wiring prior to the installations at Peacock Road and Lumberton Road;
- (b) failed to obtain inspections prior to covering critical electrical components of the equipotential bonding grid installed with code violations;
- (c) failed to obtain final electrical inspections on all projects;
- (d) failed to install wiring in accordance with the North Carolina State Electrical Code, N.F.P.A. 70 National Electrical Code; and
- (e) engaged in malpractice in the use of his license.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the license of Respondent firm and the status of Respondent, Byron Davis, as a qualifying individual be placed on probation for a period of three (3) years, effective upon final action by the Board.
 2. During the period of probation, Respondent shall comply with the following conditions of probation:
 - (a) have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;
 - (b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;
 - (c) comply with the current edition of National Electrical Code (NEC) as it applies to pool installations;
 - (d) limit work under the qualifications of Respondent to that scope of work set forth in 21 NCAC 18B .0810 of the Rules of the Board;
 - (e) comply with the rules of supervision of employees set out in 21 NCAC 18B .0907(c);
 - (f) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and
 - (g) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.
- There was no objection from Mr. Byron Davis and the Recommended Order was approved by the Board as a Final Order on February 20, 2008.

EFFECTIVE DATE: February 20, 2008

CASE FILE NUMBER: 2007-322

ADDRESS: 5023 Hoover Drive
Charlotte, NC 28269

EXAMINATION APPLICANT

William Russell Phillips

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (4) in that Applicant had criminal convictions that raised issues with respect to the character and fitness of the Applicant.

1. Applicant submitted application for license on November 20, 2007.
2. The Board staff presented evidence of multiple incidents, infractions and a substantial criminal record of several felony convictions during and prior to 2007, including felony possession of stolen goods, possession of burglary tools, larceny after breaking/entering, larceny, attempted larceny of motor vehicle, misdemeanor possession of marijuana up to ½ oz., felony breaking and entering, felony larceny, and misdemeanor possession of drug paraphernalia.

BOARD ACTION: The recommendation of the Disciplinary Committee was:

1. That the application of William Russell Phillips for examination as an electrical contractor be denied.
2. That the applicant not be reconsidered for five (5) years.
3. That prior to reconsideration, the applicant must appear before the entire Board after all incarceration and probation has been completed and present evidence of behavior adequate to establish a fundamental change in character.

There was no objection from Mr. William Russell Phillips and the Recommended Order was approved by the Board as a Final Order on February 20, 2008.

EFFECTIVE DATE: February 20, 2008

CASE FILE NUMBER: 2007-324

LICENSEE: Bobby Jay Chatham

ADDRESS: 808 Elmore Road
North Wilkesboro, NC 28659

LISTED QUALIFIED INDIVIDUAL:

Bobby Jay Chatham

LICENSE NUMBER: 13013-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (4) in that:

1. Respondent submitted application for renewal of license on November 19, 2007.
2. The Application was deferred pending review by the Disciplinary Committee as to criminal conduct.

3. The Board staff presented evidence of multiple incidents, infractions and a substantial record of criminal convictions including misdemeanor simple possession of Schedule II Controlled Substance, possession of drug paraphernalia, felony probation violation, and driving while license revoked.

4. Applicant presented evidence of rehabilitation and ongoing efforts to remain free of drugs and alcohol dependence.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the license of Respondent firm and the status of Respondent, Bobby Jay Chatham, as a qualifying individual be renewed and placed on probation for a period of two (2) years.

2. During the period of probation, Respondent shall comply with the following conditions of probation:

(a) present documentation to the Board upon request of continued involvement with an accredited drug rehabilitation center and compliance with any recommended treatment and including participating in recommended group therapy or support groups so as to maintain freedom from alcohol or substance abuse;

(b) continued candor and truthfulness with this Board and by extension the public;

(c) allow Board staff to obtain records of random drug and alcohol tests, whether tested at the direction of others or at the request of the Board, the cost to be borne by Respondent; and

(d) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

3. In the event of violation of the terms of the probation, license will be suspended for three (3) years or until the terms of probation have been satisfied. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-47.

There was no objection from Mr. Bobby Jay Chatham and the Recommended Order was approved by the Board as a Final Order on February 20, 2008.

EFFECTIVE DATE: February 20, 2008

CASE FILE NUMBER: 2007-346

LICENSEE: John J. Kirlin, LLC, Carolina Division

ADDRESS: P.O. Box 80488
Raleigh, NC 27623

LISTED QUALIFIED INDIVIDUAL:

Curtis Hartwell Lane

LICENSE NUMBER: 22108-U

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1)(5) and (7) in that:

1. Respondent's firm now holds license #22108-U. Respondent's firm was issued license #22108-U on May 2, 2007. The individual Respondent is the qualified individual within the meaning of Article 4, Chapter 87 of the General Statutes.

2. During the fall of 2006 and winter of 2007, using the name L. J. Construction, Inc., John J. Kirlin, LLC, Carolinas Division, offered to engage in the business of electrical contracting without a license by submitting four electrical proposals, in connection with electrical work being performed at the North Carolina State University Indoor Air Quality Project located at the College of Veterinary Medicine Campus, in Raleigh, North Carolina.

3. The individual Respondents were active in the misrepresentation of the identity of the persons actually performing the work.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the license of Respondent firm and the qualifications of Respondent Curtis Hartwell Lane be placed on probation for a period of three (3) years, effective upon final action by the Board.

2. During the period of probation, Respondent shall comply with the following conditions of probation:

(a) have written contracts or proposals signed by the licensee and customer for each installation for which the licensee or qualifier is responsible;

(b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;

(c) maintain job files or other written records of contracts made and installations performed;

(d) perform no work for which license as an electrical contractor is required except through the use of persons employed by, and receiving a W-2 from a licensed electrical contractor;

(e) maintain records detailing and documenting compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and

(f) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

3. In the event of violation of the terms of the probation, license of the firm and qualifications of the individual Respondent shall be suspended for one (1) year. The

Board may impose such additional sanctions as indicated by any new violations of G.S. 87-47.

There was no objection from Respondents and the Recommended Order was approved by the Board as a Final Order on June 16, 2008.

EFFECTIVE DATE: June 16, 2008

CASE FILE NUMBER: 2008-1

LICENSEE: Moore County Electric

ADDRESS: 1021 Horseshoe Road
Aberdeen, NC 28315

LISTED QUALIFIED INDIVIDUAL:

Michael Edward Warwick

LICENSE NUMBER: 16907-L

VIOLATION(S):

Violation of North Carolina General Statute 87-47 (a1) (4) in that:

1. Respondent submitted application for renewal of license on January 2, 2008.
2. The application was deferred pending review by the Committee as to criminal conduct.
3. The Board staff presented evidence of multiple incidents, infractions and a substantial record of criminal convictions including probation violation, larceny from the person, breaking/entering, criminal contempt, worthless check, possession of stolen goods, and resisting public officer.
4. Applicant presented evidence of his efforts to resolve the issues and modify the behavior which resulted in the numerous criminal violations.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the status of Respondent, Michael Edward Warwick, as a qualifying individual not be renewed for a period of one (1) year.
2. The license of Respondent may be renewed after one (1) year upon presentation of evidence to the Board that Respondent remains current in continuing education and has no additional criminal charges or convictions other than minor traffic matters.
3. Upon renewal, Respondent's qualification is to be on probation for two (2) years.
4. During the period of probation, Respondent shall comply with the following conditions of probation:
 - (a) present documentation to the Board when requested of his continued involvement with necessary treatment for alcohol and substance abuse to maintain sobriety;
 - (b) continued candor and truthfulness with this Board and by extension the public;

(c) enroll in a program furnishing random drug and alcohol testing, testing each 90 days at a minimum and submit the results of the tests to the staff of the Board, the cost to be borne by Respondent; and

(d) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board. There was no objection from Mr. Walter Curtis Winchester and the Recommended Order was approved by the Board as a Final Order on February 20, 2008.

EFFECTIVE DATE: February 20, 2008

CASE FILE NUMBER: 2008-20

LICENSEE: Allstate Home Security Inc.

ADDRESS: 537 East Lake Ridge Drive
Raeford, NC 28376

LISTED QUALIFIED INDIVIDUAL:

David Geoffrey Becker

LICENSE NUMBER:

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (2), (3), (5) and (7) in that:

1. Respondent sold and transferred his license to Allstate Home Security, Inc., an unlicensed firm and thereby:
 - (a) aided and abetted Allstate Home Security, Inc., to engage in the business of electrical contracting;
 - (b) failed to provide adequate supervision in the use of his license; and
 - (c) engaged in unethical conduct in the use of his license.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the license of Respondent firm and the status of Respondent, David Geoffrey Baker, as a qualifying individual be suspended for a period of one (1) year, effective upon final action by the Board.
2. That, upon completion of the period of suspension, the Respondent's license to engage in business as an electrical contractor and as a qualifying individual, be placed on probation for a period of two (2) years.
3. During the period of probation, Respondent shall comply with the following conditions of probation:
 - (a) have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible, and having a project value of \$100.00;
 - (b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;

(c) maintain job files or other written records of contracts made and installations performed;

(d) allow no permits to be acquired through the use of his license, except for jobs for which Respondent holds the contract and performs all work personally or through the use of his own W-2 employees;

(e) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and

(f) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

4. In the event of violation of the terms of the probation, license will be suspended for two (2) years. The Board may impose such additional sanctions as indicated by any new violations of G.S. §87-47.

There was no objection from Mr. David Geoffrey Becker and the Recommended Order was approved by the Board as a Final Order on June 16, 2008.

EFFECTIVE DATE: June 16, 2008

CASE FILE NUMBER: 2008-25

EXAM APPLICANT: Kimberly Fern Godon

ADDRESS: 1963 Alton King Rd.
Goldston, NC 27252

VIOLATION(S): Violation of North Carolina General Statute G.S. 87-43, 87-43.1(3), Board Rule NCAC 18B .0306 and G.S. 87-47(a)(1),(2),(3),(5),(7) in that:

1. Respondent's firm was issued license no. 19708-L on April 21, 2003 until September 1, 2004, with Milton Gerald McKoy listed as qualified individual;

(a) Milton Gerald McKoy was not a bona fide employee during the entire period in that he was an independent contractor;

(b) on or about December 2006, Godon Construction, Inc. engaged in the business of electrical contracting without a license at Coty USA, LLC, 140 Broadway Road, Sanford, North Carolina;

2. On or about October 12, 2007, Respondent submitted an Application for Examination in the Limited Classification and submitted an Employer Statement Form signed by Milton Gerald McKoy which misrepresented employment information in an effort to satisfy the Board experience requirements for the qualifying examination;

3. Ms. Kimberly Fern Godon does not possess the required amount of primary experience for an examination.

BOARD ACTION: The Disciplinary Committee recommended:

Kimberly Fern Godon not be allowed to sit for examination by this Board until W-2s can be submitted from a licensee of this Board to quantify actual hours worked in the electrical field.

There was no objection from Ms. Kimberly Fern Godon and the Recommended Order was approved by the Board as a Final Order on June 16, 2008.

EFFECTIVE DATE: June 16, 2008

CASE FILE NUMBER: 2008-41

LICENSEE: Moonlite Electric & Renovations
Inc.

ADDRESS: 108 Woodwinds Industrial Ct.,
Suite C
Cary, NC 27511

LISTED QUALIFIED INDIVIDUAL:

Keith Douglas Larson

LICENSE NUMBER: 22108-U

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (7) in that:

1. Respondent firm holds license #21172-U, and Respondent Keith Douglas Larson is a qualified person within the meaning of Article 4, Chapter 87 of the General Statutes.

2. Respondent is licensed as Moonlite Electric & Renovations, Inc. Respondent has engaged in electrical contracting as Moonlite Electric.

3. The allegation that Respondent peddled his license, though reason for concern, is not supported by substantial evidence.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the Respondent's license to engage in business as an electrical contractor be placed on probation for a period of one (1) year, effective upon final action by the Board.

2. During the period of probation, Respondent shall comply with the following conditions of probation:

(a) have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;

(b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;

- (c) maintain job files or other written records of contracts made and installations performed;
- (d) neither engage, offer to engage or market electrical contracting other than in the name in which license is shown on the records of the Board;
- (e) utilize only employees receiving a W-2 from the Respondent firm and only on projects for which the firm has the electrical contract and provides supervision by a qualified person;
- (f) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and
- (g) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

3. In the event of violation of the terms of the probation, license will be suspended for one (1) year. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-47.

There was no objection from Mr. Keith Douglas Larson and the Recommended Order was approved by the Board as a Final Order on June 16, 2008.

EFFECTIVE DATE: June 16, 2008

CASE FILE NUMBER: 2008-58
LICENSEE: South Tech Systems, Inc
ADDRESS: P. O. Box 2167
Lexington, SC 29071

LISTED QUALIFIED INDIVIDUAL:
Timothy J. Krese

LICENSE NUMBER: 25323-U

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (2), (3), (5) and (7) in that:

1. Respondent acquired permit and allowed employees of Seneca Communications, an unlicensed firm, to perform electrical work, and thereby:

- (a) aided and abetted Seneca Communications to engage in the business of electrical contracting at 307 Forsythe Street, Fayetteville, North Carolina without license;
- (b) failed to provide adequate supervision in the use of his license; and
- (c) engaged in unethical conduct in the use of his license.

BOARD ACTION: The Disciplinary Committee recommended:

1. The license of Respondent firm and the qualification of the individual Respondent to engage in business as an electrical contractor be placed on probation for a period of two (2) years, effective upon final action by the Board.

2. During the period of probation, Respondent shall comply with the following conditions of probation:

- (a) have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible and having a project value over \$100.00;
- (b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;
- (c) maintain job files or other written records of contracts made and installations performed;
- (d) allow no one to purchase permits or communicate with permitting authorities other than a full-time employee of South Tech Systems, Inc. who receives a W-2 from South Tech Systems, Inc. and has express authority for the particular job;
- (e) perform no work and purchase no permits except for work for which Respondent holds the contract, acquires the permits and performs the work personally or using full-time employees receiving a W-2 from Respondent;
- (f) comply with the supervision requirements of 21 NCAC 18B.0907(c).
- (g) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and
- (h) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

3. In the event of violation of terms of the probation, license will be suspended for two (2) years. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-47.

There was no objection from Mr. Timothy J. Krese and the Recommended Order was approved by the Board as a Final Order on June 16, 2008.

EFFECTIVE DATE: June 16, 2008

CASE FILE NUMBER: 2008-83
LICENSEE: Ronald Adams Electric
ADDRESS: 4465 Calico St
Hope Mills, NC 28348

LISTED QUALIFIED INDIVIDUAL:
Ronald Lewis Adams

LICENSE NUMBER: 12115-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (2), (3), (5) and (7) in that:

1. Respondent listed his license qualifications in the name of Allstate Home Security, Inc., an unlicensed person; while he was not a bona fide employee of Allstate, and thereby:

- (a) aided and abetted Allstate Home Security, Inc. to engage in the business of electrical contracting;
- (b) failed to provide adequate supervision in the use of his license; and
- (c) engaged in unethical conduct in the use of his license.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the license of Respondent firm and the status of Respondent Ronald Lewis Adams as a qualifying individual be revoked, effective upon final action by the Board.

2. That Respondent be allowed to request reinstatement by the Board after the Order has been in effect for a period of one (1) year.

3. That Respondent pay a civil penalty of \$500.00 prior to any reinstatement.

4. In the event license is subsequently reinstated, the Respondent's license and qualification to engage in business as an electrical contractor shall be placed on probation for a period of two (2) years.

5. During the period of probation, Respondent shall comply with the following conditions of probation:

(a) have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;

(b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;

(c) maintain job files or other written records of contracts made and installations performed;

(d) contract no work and acquire no permits except when Respondent is the contractor and the work is performed personally or by persons employed by and receiving a W-2 from Respondent, and while Respondent is in compliance with Board Rule .0301 and Board Rule .0907(c);

(e) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and

(f) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

6. In the event of violation of terms of the probation or by contracting during the revocation, license will be suspended for one (1) year. The Board may impose such

additional sanctions as indicated by any new violations of G.S. 87-47.

There was no objection from Mr. Ronald Lewis Adams and the Recommended Order was approved by the Board as a Final Order on June 16, 2008.

EFFECTIVE DATE: June 16, 2008

CASE FILE NUMBER: 2008-107

LICENSEE: RNR Electrical Construction & Maintenance

ADDRESS: 2025 Stonebrook Drive
Mebane, NC 27302

LISTED QUALIFIED INDIVIDUAL:

Robert Nance Rivenbark

LICENSE NUMBER: 20903-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (5) and (7) in that:

1. Respondent undertook to perform electrical contracting work on property located at 3911 Cash Road, in Durham, North Carolina. In the course of work on the project Respondent:

(a) failed to complete the project on a timely basis and eventually abandoned the project;

(b) had multiple failed inspections due to code violations and incomplete work;

(c) failed to install wiring in accordance with the North Carolina State Electrical Code, NFPA 70 National Electrical Code;

(d) failed to obtain all required electrical permits and inspections in a timely manner;

(e) failed to communicate with local inspector and Board staff.

2. Respondent failed to disclose a criminal conviction for simple assault on request for license renewal.

3. The Committee took note that an Order was issued by the Board on October 27, 1999, suspending the license of Respondent for 12 months.

4. The Committee concluded Mr. Rivenbark had engaged in malpractice and unethical conduct in the use of his license.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the license of Respondent firm and the status of Respondent, Robert Nance Rivenbark, as a qualifying individual be revoked.

2. That no reinstatement request pursuant to G.S. 97-47(d) be considered except upon personal appearance before the Board, satisfactory explanation of the matter herein and convincing demonstration of fitness for license.

3. That in the event of any future reinstatement of the license of Respondent, license be placed on probation for a five (5) year period.

There was no objection from Mr. Robert Nance Rivenbark and the Recommended Order was approved by the Board as a Final Order on June 16, 2008.

EFFECTIVE DATE: June 16, 2008

CASE FILE NUMBER: 2008-124

LICENSEE: Current Technologies Systems, Inc.

ADDRESS: 5800 McHines Place #100
Raleigh, NC 27616

LISTED QUALIFIED INDIVIDUAL:

Samuel McNutt Cloyd, Jr.

LICENSE NUMBER: 23963-U

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1)(2), (3), (5) and (7) in that:

1. Respondent holds License #23963-U issued as Current Technology Systems, Inc.
2. Respondent entered into a contract to do electrical work on a townhouse project at Maynard Summit, Cary, North Carolina.
3. Respondent subcontracted the work to Escadon Contracting, LLC, an unlicensed firm, who was not a bona fide employee receiving a W-2 from Respondent.
4. Escadon Contracting, LLC is an unlicensed electrical contracting firm and not a personnel agency or labor supplier.
5. By allowing Escadon Contracting, LLC, an unlicensed firm to work on his permit, Respondent:
 - (a) aided and abetted Pedro Escadon d/b/a Escadon Contracting LLC to engage in the business of electrical contracting without license;
 - (b) failed to provide adequate supervision in the use of his license; and
 - (c) engaged in unethical conduct in the use of his license.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the Board impose a civil penalty of \$1,000.00 per project or a total of \$4,000.00 upon the licensee.
2. That the license of Respondent firm and the status of Respondent Samuel McNutt Cloyd, Jr., as a qualifying individual be put on probation for a period of five (5) years.
3. During the period of probation, Respondent shall comply with the following conditions of probation:
 - (a) have written contracts or proposals signed by the licensee and customer for each installation for which

licensee is responsible having a project value over \$100.00;

(b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;

(c) maintain job files or other written records of contracts made and installations performed;

(d) comply with Board supervision Rule 21 NCAC 18B .0907 and utilize bona fide employees to perform work within the meaning of Board Rule Title 21 NCAC 18B .0306 and assure that 1099 employees are limited to bona fide employees of manpower agencies and do not occupy foreman or job superintendent roles within the licensed firm;

(e) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and

(f) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

4. In the event of violation of terms of the probation, license will be suspended for two (2) years. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-47.

There was no objection from Mr. Samuel McNutt Cloyd, Jr. and the Recommended Order was approved by the Board as a Final Order on June 16, 2008.

EFFECTIVE DATE: June 16, 2008

CONSENT AGREEMENTS

Criminal background checks a randomly conducted on examination applicants at the time examination applications are received and on listed qualified individuals at the time of issuance of a license and license renewal. Persons with criminal convictions are evaluated to determine if the matter is under the purview of the Board and may be resolved by consent agreement signed by the individual stating that they will be in full compliance of the court imposed sanctions and sanctions of the Board. The individual further acknowledges that failure to comply with the court or Board sanctions could lead to formal proceedings by the Board and more serious sanctions against the individual.

<i>Name</i>	<i>City</i>	<i>County</i>	<i>License</i>
Timothy B. Rowe	Spring Lake	Cumberland	7510-U
Joseph Albert Ziomek, III	Concord	Cabarrus	25831-L
John Michael Sistare, II	Cashiers	Jackson	26458-SFD
Javon Princeton Cobb	Raleigh	Wake	26486-L
Terry Columbus Williams	Williamston	Martin	26091-U
Jamie Lee Minish	High Point	Guilford	27660-L
Bobby Joe Roberson	Mebane	Alamance	23124-L
Stacey Lee White	Ayden	Pitt	22811-L
Travis Harry Huskins	Spruce Pine	Mitchell	16450-L
Thomas Michael McCormick	Lexington	Davidson	23625-L

LICENSEE – PERMIT WARNING AFFIDAVITS & VERBAL WARNINGS

Staff obtains by consent a permit warning affidavit or issues a verbal warning in connection with permit and inspection requirements or other issues under the purview of the Board. The North Carolina Electrical Contracting Licensing Laws and Rules of the Board have been explained to each licensee representative and/or listed qualified individual below. Staff obtained by consent a permit warning affidavit signed by the licensee representative and/ or listed qualified individual or verbal assurance from the licensee representative and/or listed qualified individual stating that they will be in full compliance with the laws and rules applicable to electrical contracting. Licensee representative and/or listed qualified individual also acknowledges that further violations of this nature, if supported by evidence, could lead to formal proceedings against the licensee and listed qualified individual by the Board and to more serious sanctions against the license of the firm.

<i>Licensee</i>	<i>Qualified Individual</i>	<i>County</i>	<i>File Number</i>
Ranger Construction	William Leslie Price	Mecklenburg	2007-230
Stobaugh Electric Company	Johnny Lee Stobaugh	Wayne	2007-234
Keller Electric and Maint. Co. Inc.	Paul Leslie Keller	Gaston	2007-347
Johnson's Modern Electric Co., Inc.	Steven Glenn Johnson	Surry	2008-88
HI-LITE Electric, Inc.	Mark Robert McGrath	Wake	2008-8
Marvin Adolph Cooper	Marvin Adolph Cooper	Bertie	2007-337
Brayboy Electric	Brian Edward Brayboy	Mecklenburg	2007-283
C D C Electric	Charles Daniel Cardwell, Jr.	Guilford	2007-333
A. B. Lighting & Electrical, Inc.	Moses Alexander Brice	Mecklenburg	2008-5
B & L Electric	Boyce Lee Smith	Guilford	2008-69
Pender Electric Corporation	Thomas Ray Lewallen	Pender	2007-331
Leo's Electrical Service	Leo James Skinner	Bladen	2008-12

NON-LICENSEE – WARNING AFFIDAVITS and VERBAL WARNINGS

Staff obtains by consent a warning affidavit or issues a verbal warning in connection with unlicensed individuals offering to engage or engaging in electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina. The North Carolina Electrical Contracting Licensing Laws, specifically General Statutes 87-43, 87-43.1 and 87-48 has been explained to each individual listed below. Staff obtained by consent a sworn warning affidavit signed by the unlicensed individual or verbal assurance from the unlicensed individual stating that they will refrain from engaging or offering to engage in any electrical contracting in the State of North Carolina until such time they have qualified and obtained an electrical contracting license from the Board.

<i>Name</i>	<i>City</i>	<i>County</i>	<i>File Number</i>
Charles D. Wilkie	Zirconia	Henderson	2007-228
Michael V. Sosebee	Franklin	Macon	2007-343
David Harley Tollefson	Franklin	Macon	2007-344
Joshua Taber Adams	Raleigh	Wake	2007-244
Rebecca Carolyn Olsen	Raleigh	Wake	2007-272
Stephen Allen Craveiro	Raleigh	Wake	2007-273
Edith Hope Byrd	Buxton	Dare	2007-294
Jay Thomas Mantych	Zebulon	Wake	2007-271
Heriberto Mendoza, Jr.	Swan Quarter	Hyde	2007-312
Edwardo Gomezjurado	Waxhaw	Union	2007-302
Maureen Kelly Ockershausen	Plumsteadville, PA	Bucks	2007-267
Anthony Keith Keen	Huntersville	Mecklenburg	2007-141
Brian Justin Dooley	Clover, SC	York	2007-300
Angel Seguinot	St. Cloud, FL	Osceola	2007-325
William Henry Robinson	Fayetteville	Cumberland	2007-278
David Benjamin Ammons	Raleigh	Wake	2007-297
Eric Dennis Bursky	Raleigh	Wake	2007-298
Maurice Wayne Combs	Raleigh	Wake	2007-299
Will Sampsel	Raleigh	Wake	2007-307
Joshua Luke Wise	Raleigh	Wake	2007-309
Tim Wayne Lee	Benson	Johnston	2007-310
Kevin Milne	Raleigh	Wake	2007-320
Paul Bertram Hyde	Raleigh	Wake	2007-319
Evan Yanik	Arden	Buncombe	2007-17
Michael Allen Ray	Glade Valley	Alleghany	2008-45
Samuel Trent McCurry	Burnsville	Yancey	2008-89
John Kevin Forrest, II	Cary	Wake	2007-328
Malvern William Tharrington, Jr.	Garner	Wake	2007-341
Kenneth Patrick Boyle	Raleigh	Wake	2007-327
Robert Horrell Partin	Edenton	Chowan	2007-329
Richard Fred Hurst	Kittrell	Granville	2008-22
Robert R. Cain	Raleigh	Wake	2008-60
Stephen Douglass Poole	Swansboro	Carteret	2008-79
Corey Allen Morris	Stella	Carteret	2008-80
Marion Thomas Johnson	Browns Summit	Guilford	2008-81

John Andrew Lindsey	Spring Hope	Nash	2008-97
Pedro Escandon Ramos	Lillington	Harnett	2008-125
Stanley Dalton Roberson	Henderson	Vance	2008-18
William Earl Coker	Henderson	Vance	2008-19
Mark Christopher Holtzclaw	Huntersville	Mecklenburg	2008-23
Terry F. Prew	Huntersville	Mecklenburg	2007-277
Windy Michelle Blohm	Fort Mill, SC	Out-of-State	2008-3
Michael Kenneth Cochran	Winston-Salem	Forsyth	2008-50
Donald Wayne Blesoe	Gibsonville	Guilford	2008-51
Joshua William Stolecki	Charlotte	Mecklenburg	2008-49
Dean Ray Lewis	Charlotte	Mecklenburg	2008-102
Charlie James Dixon	Durham	Durham	2008-91
Gary Ainsworth	Kernersville	Forsyth	2008-101
Ralph Albert Vicario, Jr.	Clayton	Johnston	2008-94
William Billy Bazen, Jr.	Durham	Durham	2008-100
James Thomas Hinson	Garner	Wake	2007-305
Shawn Mason McCracken	Sanford	Lee	2007-314
Willie Norman Johnson, Jr.	Fayetteville	Cumberland	2008-13
Jerry Lee Hall	Fayetteville	Cumberland	2007-338
Timothy Edward Rattz	Sanford	Lee	2007-336
Jerry Glenn Evans	Chadbourn	Columbus	2008-11
Scott Edward Lockamy	Dunn	Johnston	2008-48
Del Anthony Northway	Wilmington	New Hanover	2008-87
David Foss	Ocracoke	Hide	2008-27
David Self	Archdale	Guilford	2008-33
Walter Manier	Archdale	Guilford	2008-33
Arnoldo Gonzalez	Benson	Johnston	2008-92