



Bulletin

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Events on the Horizon

Independence Day/Board Office Closed
July 4, 2001

Regular Board Meeting
July 11, 2001

Labor Day/Board Office Closed
September 3, 2001

Regular Board Meeting
October 17, 2001

Veteran's Day/Board Office Closed
November 12, 2001

Thanksgiving/Board Office Closed
November 22-23, 2001

Christmas/Board Office Closed
December 24-26, 2001

General Contractors Licenses Expire
December 31, 2001

EXPERIENCE REQUIREMENT ALSO BEING CONSIDERED BY GENERAL ASSEMBLY

Legislation Increases License Thresholds

North Carolina's General Assembly passed legislation in May to increase the value thresholds for single projects a limited or intermediate licensee may construct. Senate Bill 431, ratified May 25, amends N.C.G.S. 87-10(a) by adjusting the value thresholds for the limited license from \$250,000 to \$350,000. The intermediate license threshold was raised from \$500,000 to \$700,000. (Holders of unlimited licenses may undertake or construct projects without restriction as to the value or cost of the project.) The new law, which became effective May 31, provides that holders of limited licenses may contract for projects costing \$350,000 or less, and intermediate licensees may engage in undertaking projects costing \$700,000 or less. In 1989 the legislature increased the value threshold for a limited license from \$175,000 to \$250,000; the intermediate threshold was last increased in 1981 from \$425,000 to \$500,000.

Other important legislation includes Senate Bill 387, which passed earlier in the Senate during the current legislative session. The bill proposes to impose an experience requirement for initial licensure applicants with the Licensing Board for General Contractors. The proposed law provides that new applicants for licensure would be required to demonstrate minimum experience requirements of up to two (2) years, with recognition for practical, educational and management experience. If SB 387 is enacted, the Licensing Board would adopt rules governing specific requirements for experience, including giving credit for a portion of any technical or trade training or certification, or for bachelors or graduate degrees in architecture, engineering, construction management or related curriculum. SB 387 has been referred to the Ways & Means committee in the House of Representatives and could possibly be enacted by the current session of the General Assembly.

Board Elects Officers for 2001-2002

At its April 11th Regular meeting, the Licensing Board elected its officers for the coming year. Stan M. White, who served as Vice-Chairman of the Board from 1999 to 2001, has been elected Chairman. The Board chose J. Sam Pierce, Jr. of Cramerton to be its new Vice-Chairman.

Mr. White, from Nags Head, is a home builder and developer and also currently

serves as a Dare County Commissioner. Originally from Manns Harbor, White graduated from East Carolina University in 1970. He owns Stan White Realty & Construction in Nags Head.

Mr. Pierce is a native of Wilkes County and attended North Carolina State University. He has been a commercial and residential general contractor since 1971 and owns J.S. Pierce Development Corporation.

NCLBGC Bulletin

Published semi-annually as a service to general contractor licensees to promote a better understanding of the General Contractors Law (N.C.G.S. §§87-1 to 87-15.9) and to provide information of interest to all construction professionals.

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James B. Hunt, Jr., Governor

BOARD MEMBERS

Stan M. White, Chairman
Nags Head
J. Sam Pierce, Vice-Chairman
Cramerton
R. Kelly Barnhill, *Greenville*
J. Ray Butler, *Winston-Salem*
Robert P. Hopkins, P.E., *Raleigh*
Earl Jones, *Greensboro*
Larry D. Miller, *Marion*
Graham T. Moore, *Fayetteville*
Carolyn W. Thomasson, *Charlotte*

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June M. Napier, *Administration/Exam Reviews*
Frances W. McDonald, *Licensing Manager*
Cherie Sutton, *License Renewal Manager*
Stephanie Graham, *Licensing/ Customer Service*
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Bailey & Dixon, L.L.P., *General Counsel*

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Joel A. Macon, *Field Inv/ Coastal NC*
J. Michael Silver, *Field Inv/Western NC*
Kenneth B. McCombs, *Field Inv/Central NC*
Susan Dixon, *Complaints Administrator*

Planning a Relocation or Move?

Please mail or fax your new address and telephone number to the Licensing Board (include your license number) at:

P.O. Box 17187
Raleigh, NC 27619
Fax: (919) 571-4703

Carolinas AGC Selects Graham Moore as Senior Vice President

At its recent annual convention in West Palm Beach, FL, Carolinas AGC elected Licensing Board member Graham T. Moore as senior vice president. Carolinas AGC is the recognized trade association of the construction industry in North and South Carolina with over 3,000 regular and associate members.

Moore, a native of Oxford, North Carolina, graduated from North Carolina State University with a B.S. in Civil Engineering. He has been a highway/heavy general contractor for 25 years while employed with APAC-Carolina's Crowell Constructors, Inc. of Fayetteville. Moore was appointed to the Licensing Board in 1998 by former Governor James B. Hunt, Jr.

Building Code Council Adopts International Building Code

The NC State Building Code Council on June 13 adopted with some amendments the new International Building Code. The new codes will take effect on December 31, 2001 in North Carolina; however, the existing codes also can be used up until December 31, 2002 and after that time only the new code will remain in effect.

Barry Gardner, chairman of the State Building Code Council, said, "One good thing about the new codes for North Carolina is that South Carolina has also adopted the international code so there will be a lot of similarity between the two states. With the adoption of these codes, we have updated our requirements based on the most current national standards such as the ASCE 7-98 wind code requirements."

Gardner, who also is vice-chairman of Carolinas AGC's Building Division, said the new international code will allow building of larger area and lighter construction to be built for the same building code occupancy. He said that most of the proposed amendments for North Carolina were adopted along with the International Building Code. For a look at those proposed amendments in North Carolina, the proposed amendments in North Carolina are accessible online by visiting

www.sbcci.org/North%20Carolina/north_carolina_proposed_amendmen.htm.

(Reprinted by permission, Carolinas AGC, June 2001)

Expanded Licensing Board Web Site Provides More Services, Information

In addition to access to the general contractor on-line license directory, the Licensing Board web site also offers visitors to the site a variety of other contractor licensing materials and informational features. The Board's web site has been expanded to include a general contractor examination candidate information bulletin, which provides detailed instructions for scheduling examinations, information about the computer testing system and other important examination essentials. The site also contains the general contractor licensing statutes and the Board's administrative rules. Other important content areas now accessible on the site include Homeowners Recovery Fund and consumer information, frequently asked questions about contractor licensing, and a list of other related web site links. The web site, at www.nclbge.org or www.nclbge.net, contains a database search function providing instantaneous information concerning the Board's licensees, such as current license status (active/inactive), classification/limitation, and the qualifying person for each license.

Is Your Company Illegally Practicing General Contracting?

By Robert Lee Carson III, Conner Gwyn Schenck PLLC, Greensboro, NC

You have a successful contracting business, with an increasing number of clients and bigger projects. Your financial commitments and costs, from labor and materials to construction loans and insurance, are increasing. For business liability and tax reasons, your CPA and lawyer have advised you to form a limited liability company or corporation. You anticipate continued success with your new business and consider the formation of your LLC or corporation as a mere “formality.” With continued hard work and sound management, your new company will thrive and prosper.

Not if your new LLC or corporation fails to acquire a North Carolina general contractor’s license. Your new LLC or corporation must hold a valid license **in its own name** in order to perform general contracting in North Carolina. Performing general contracting without a license constitutes a violation of state statutes and Board rules, and also may prevent you from enforcing your contracts with project owners. A valid license issued in the name of the company, both at the time of contracting and throughout the performance of work, is a must. Without a license, you and your company may be sanctioned

by the Board and barred from collecting payment from your clients.

What you may be surprised to learn is that your individual license is not sufficient. The North Carolina General Statutes provide that any “person or firm or corporation,” i.e. your new company, engaging in the practice of general contracting must hold a general contractor’s license. Your new company is not properly licensed simply because you personally hold a general contractor’s license. Even though you are properly licensed and you perform or supervise all of the work being performed by your company, your company will not be licensed unless you take certain steps to obtain a license in your company name. You may not simply allow your company to use your individual license.

Although you cannot share your existing individual license with your new company, you can obtain a license for your company based upon your prior license examination. A business entity may apply for a license through the examination of one or more individual qualifiers. These qualifiers are usually responsible managing employees, officers of the corporation or principals of the firm. You may serve as the qualifier for both your own individual

license and for one additional license (your new company).

To obtain a license for your company based upon your existing examination and qualifications, you must request an “Exam Transfer Authorization” from the North Carolina Licensing Board for General Contractors and submit this form in conjunction with an application for a new license for your company. Your company’s application is separate from the application you completed to obtain your individual license. Your company’s application for a new license must also include a copy of the documents filed with the Secretary of State at the formation of your new company. Depending upon the type of business entity you have chosen, such additional documents may include articles of incorporation or articles of organization.

Application packages may be obtained by sending a personal check, money order or cashier’s check for \$6 made payable to the NC Licensing Board for General Contractors, to P.O. Box 17187, Raleigh, NC 27619.

DEFINITIONS

Consent Order: An order of the Board resulting from an agreement between the Board and a licensee regarding the revocation or suspension of the license to practice general contracting, or the conditions, limitations or restrictions placed on that license. This is a method of resolving or settling disciplinary or contested cases in lieu of a disciplinary hearing.

Revocation: A Board action which permanently terminates a license by effectively withdrawing that license to practice general contracting.

Suspension: A Board action which inactivates a license to practice general contracting for a set period of time.

Dismissal/Voluntary

Dismissal: A Board action dismissing a contested case, resulting in no disciplinary action against the licensee or Respondent.

Voluntary Surrender:

A licensee's relinquishing or tendering of the license to practice general contracting, pending an investigation or other action by the Board.

Admission of Violation: A document signed by a licensee who admits to the stated violations, agrees not to repeat them, but acknowledges that the Board will use the document against the licensee prospectively should such action become necessary.

Injunction: A Superior Court order entered against an unlicensed contractor who is illegally practicing general contracting. Such an order stops the illegal practice and can be obtained by consent of a cooperating contractor or by default judgment; violation of the injunction is contempt of court.

Code: Provisions of the North Carolina State Building Code (Residential/Vol. VII and previous editions; General Construction/Vol. I).

Disciplinary Action

(The following Board Orders and other Board disciplinary actions reported here are not a complete summary of all activity or a full representation of each case. Every effort is made for accuracy, but such is not guaranteed. Questions or requests for additional information about specific cases should be referred to the Board's Legal Section.)

Final Decisions

Britt Construction, Inc. (Virginia; 00C267) License No. 48717. An administrative hearing was held on December 13, 2000 and the Final Decision entered January 4, 2001. Britt had ostensibly entered into a written contract to construct a commercial building—without being licensed. At its October 11, 2000 meeting, the Board reviewed Britt's application for licensure, along with then available complaint file information and decided to delay issuing Britt's license for 6 months. Near the end of November 2000, Britt requested an administrative hearing before the Board; the result of the December 13, 2000 hearing was that Britt was granted a general contracting license effective April 11, 2001.

David A. Downie (Wake County; 98C288) License No. 22309. On December 13, 2000, a disciplinary hearing was held and the Final Decision entered January 4, 2001, in which the following facts were found: David A. Downie worked as an independent general contractor for an unlicensed corporation. There was insufficient evidence to find that the unlicensed corporation served as its own general contractor. The actions of Mr. Downie in connection with this complaint file did not constitute gross negligence, incompetence or misconduct. All charges against Mr. Downie were dismissed.

K2 Custom Builders, Inc. and Karl T. Wall (Mecklenberg County; 98C129) License Nos. 21835 and 33731. A disciplinary hearing was held on December 13, 2000 and the Final Decision entered January 4, 2001, in which the following facts were found: Karl T. Wall was the President and qualifier for K2 Custom

Builders, Inc. In mid-July of 1997, K2 entered into a contract to convey a single-family dwelling which it had constructed and which had 4 violations of the NC State Building Code. The Board also found that K2 failed to disclose a lien previously undisclosed to the Board on its 1997 and 1998 renewal applications. In early 2000, K2 applied for and obtained a building permit to construct a single-family dwelling without renewing its license for 2000. K2 continued building until at least April 2000 when Mr. Wall applied for and obtained a permit to continue the construction begun by K2. The Board found that because of his role as President, qualifier and signatory on license applications for K2, Mr. Wall knew or should have known of the conduct by K2. License No. 21835 (K2 Custom Builders, Inc.) was permanently revoked; License No. 33731 (Karl T. Wall) was also permanently revoked.

David S. Wilcox (Pender County; 99C118) License No. 32259. On December 13, 2000, a disciplinary hearing was held and the Final Decision entered January 4, 2001, in which the following facts were found: Mr. Wilcox entered into a contract to construct a single-family dwelling for a cost in excess of his license limitation and using the license number of an inactive corporate entity in which he was a participant. Mr. Wilcox did construct the dwelling, with 7 violations of the NC State Building Code. The Board found that some of the actions of Mr. Wilcox in connection with this complaint did constitute misconduct, while others did not; however, the Board decided to suspend License No. 32259 for 1 year, while also immediately restoring it and placing it on probation under the supervision of

the Board during the 1-year period, with the provision that any new violations would reinstate the active suspension during the remainder of the 1-year time period.

Broadus Edward Hill (New Hanover County; 99C177) License No. 15428. A disciplinary hearing was held on February 14, 2001 and a Final Decision entered February 23, 2001, in which the following facts were found: Mr. Hill entered into a contract and completed construction of a single-family dwelling, with 4 violations of the NC State Building Code. The decision of the Board was to reprimand Mr. Hill, which is a matter of public record and a permanent part in the history file of License No. 15428.

Scott L. Romblad (New Hanover County; 99C315) License No. 13329. On February 14, 2001, a disciplinary hearing was held and the Final Decision entered February 23, 2001, in which the following facts were found: Mr. Romblad failed to renew his 1999 general contractors license until November 17, 1999, but continued to practice general contracting throughout the year with an invalid license. Mr. Romblad, on a loan application, submitted false certification that he maintained an active license. The Board suspended License No. 13329 for 90 calendar days and also suspended for 90 days Mr. Romblad's ability to serve as a qualifying party for any copartnership, corporation or any other organization or combination.

Richard A. Adams (Swain County; 00C159) License No. 40234. A disciplinary hearing was held on February 14, 2001 and a Final Decision entered February 23, 2001, in which the following facts were found: Mr. Adams

entered into a contract as Vice-President of a corporate general contractor, but applied for a building permit using his individual license number. In the construction of the dwelling, there were 8 violations of the NC State Building Code found. The Board permanently revoked license No. 40234 and also revoked Mr. Adams' ability to serve as a qualifying party for any copartnership, corporation or any other organization or combination.

Duncan Contractors, Inc. (Mecklenburg County; 99C03) License No. 28989. On March 14 and 15, 2001, a disciplinary hearing was held and the Final Decision entered March 22, 2001, in which the following facts were found: Duncan Contractors, Inc. entered into a contract and substantially completed construction of a single-family dwelling. The homeowner filed a complaint with the Board alleging code violations and deficiencies in the dwelling. Two sections of the NC State Building Code were found to have been violated, as well as a finding of untreated wood framing and inappropriate materials and substandard workmanship in connection with the home's brick veneer. The Board reprimanded Duncan Contractors, Inc., which is a matter of public record and a permanent part in the history file of License No. 28989.

Brent J. Millis (Jackson County; 98C284 and 99C124) License No. 15079. On March 15, 2001 a disciplinary hearing was held and the Final Decision entered March 22, 2001, in which the following facts were found: Mr. Millis contracted verbally to construct a foundation wall and to install a single-family modular dwelling. After Mr. Millis had completed the perimeter foundation walls—and independent of Mr. Millis, the homeowner hired a separate contractor to backfill the interior of the foundation; shortly after the foundation was

backfilled, one side of the foundation collapsed. The homeowner hired an engineer to design a replacement foundation, and Mr. Millis began to work with the engineer, but the homeowner terminated Mr. Millis before the work was completed. A complaint was filed with the Board alleging code violations and deficiencies in the foundation. The Board found that the foundation originally constructed by Mr. Millis did not violate the NC State Building Code.

Mr. Millis began construction of a crawl space and installation of a second modular home for another person who filed a complaint with the Board. Two NC State Building Code violations were found; however, Mr. Millis was not given an opportunity to correct one and the other (missing insulation) appeared to have been removed, not omitted. The homeowner in this case barred Mr. Millis from completing the job. The Board dismissed all charges against Mr. Millis.

Clayton Terry Tucker t/a Terry's Plumbing (Randolph County; 99C270 and 99C271) License No. 27813. A disciplinary hearing was held on March 15, 2001, and a Final Decision entered on March 22, 2001, in which the following facts were found: Mr. Tucker was licensed in the PU (Water lines and Sewer lines classification). In 1995 and 1998 Mr. Adams obtained building permits for residential construction costing more than \$30,000, and performed the construction on land that he owned. The Board found that Mr. Tucker had violated G.S. § 87-13, which constituted unintentional misconduct in the practice of general contracting. The Board reprimanded Clayton Terry Tucker t/a Terry's Plumbing, which is a matter of public record and a permanent part in the history file of License No. 27813.

Michael Grissom (New Hanover County; 00C218, 00C260, 00C327 and 00C407) License

No. 42307. On April 12, 2001, a disciplinary hearing was held and the Final Decision entered April 19, 2001, in which the following facts were found: In 1998 and 1999 Mr. Grissom entered into 3 contracts to construct residential dwellings, began construction, but failed to complete any of them. On each project, Mr. Grissom used funds received from the owners or clients to pay bills for labor and materials on other projects. Mr. Grissom failed to respond to telephone calls and failed to appear and take responsibility for liens and debts owed to his subcontractors and suppliers. In 2000, Mr. Grissom continued to work on other projects without renewing his license. In 1999 and 2000, Mr. Grissom entered into contracts in the name of an unlicensed partnership in which he was a participant and used License No. 42307 to obtain building permits. The Board found that the actions of Mr. Grissom constituted gross negligence, incompetency and misconduct. The Board revoked License No. 42307 to be effective at the completion of any unfinished projects currently under contract and also required Mr. Grissom to submit a list of those unfinished projects to the Board offices. Additionally, Mr. Grissom will not be permitted to serve as a qualifier for any corporation or other firm seeking to obtain a license to practice general contracting in North Carolina.

Silaco, Inc. (Johnston County; 00C17) License No. 44494. A disciplinary hearing was held on April 12, 2001 and a Final Decision entered April 19, 2001, in which the following facts were found: In 1999, Silaco entered into a contract to renovate and complete an addition to a surgical center, but failed to complete the job. Silaco, Inc. used funds received from the property owners to pay bills for labor and materials on other projects, stopped returning telephone calls and failed to appear and take respon-

sibility for the liens and debts owed to its subcontractors and suppliers. The property owners were required to hire replacement contractors to complete the project at a much greater expense than the contract with Silaco, Inc. stated. The Board permanently revoked License No. 44494 and also permanently prohibited its qualifier, Auysak Asasu, from obtaining an individual license or serving as a qualifier for any corporation or other corporation or firm seeking to obtain a license to practice general contracting in North Carolina.

Crown Constructors, Inc. (Union County; 99C198) License No. 30220. On May 9, 2001, a disciplinary hearing was held and the Final Decision was entered May 15, 2001, in which the following facts were found: Crown obtained a building permit in 1997 to construct, and did construct, a single-family dwelling, with 8 violations of the NC State Building Code. No representative of Crown appeared at the hearing. The Board permanently revoked License No. 30220 and also permanently revoked immediately the ability of Crown's qualifier, Donald S. Parker, from serving as a qualifier for any copartnership, corporation or any other organization or combination.

Golden Rule Builders (Mecklenburg County; 00C99) License No. 40780. A disciplinary hearing was held on May 9, 2001 and a Final Decision entered May 15, 2001, in which the following facts were found: In mid-1999, Golden Rule contracted to construct a single-family dwelling and began construction. In March of 2000, the homeowners filed a complaint with the Board alleging code violations. Golden Rule performed remedial work to correct a foundation problem, but was not given an opportunity to replace the glass of a bathroom window; a third allegation proved to meet requirements of the NC State Building Code. The

Board dismissed all charges against Golden Rule Builders.

E. Watson Morse, Jr. (Mecklenburg County; 99C116) License No. 33296. On May 9, 2001 a disciplinary hearing was held and the Final Decision entered May 15, 2001, in which the following facts were found: Mr. Morse is the Registered Agent listed with the NC Secretary of State for Morse Building Group, Inc., an unlicensed corporation. In 1998, the unlicensed corporation entered into a contract to construct a single-family dwelling, but Mr. Morse applied for the permit using himself as the owner of the property as well as the general contractor. Additionally, on his 1999 license renewal application with the Board, Mr. Morse failed to disclose a substantial lien filed against Morse Building Group, Inc. The Board determined that the actions of Mr. Morse constituted misconduct and a willful violation of Article 1, Chapter 87, and fraud or deceit in obtaining a license. The Board permanently revoked License No. 33296 and also revoked immediately Mr. Morse's ability to serve as a qualifying party for any copartnership, corporation or any other organization or combination.

Rick C. Gilbert t/a RJM Construction Co. (Orange County; 99C237, 99C256 and 99C264) License No. 41604. On June 13, 2001 a disciplinary hearing was held and the Final Decision entered later in June 2001. Rick C. Gilbert t/a RJM was unable to be served with notice of its hearing at the Board by Certified Mail or by Sheriff, so service was accomplished through publication in the newspaper; a copy of the Notice of Hearing was delivered by regular mail and not returned using a forwarding address given the Board by the U.S. Post Office. Neither Mr. Gilbert, nor his representative appeared at hearing. The Board permanently revoked License No. 41604.

CM Construction Services and Development, LLC (Kentucky; 00C199) License No. 46023. A hearing was held on June 13, 2001 and a Final Decision entered later in June 2001. The Board permanently revoked License No. 46023.

Revocations or Surrenders of License

Contech Building Corporation (Wake County; 00C310) License No. 37486. On March 8, 2001, Darrell G. Pendergraph,

President of Contech Building Corporation, voluntarily surrendered the corporate license to the Board. The Board considers surrender of license as permanent revocation.

Sabatini Builders, Inc. (New Hanover County; 00C189) License No. 32832. On June 14, 2000, John Sabatini, President of Sabatini Builders, Inc., voluntarily surrendered the corporate license to the Board. The Board considers surrender of license as permanent revocation.

John F. Sabatini (New Hanover County) License No. 43280. On November 6, 2000, Yuzo Ito, President of Down East Coastal Developers, Inc., voluntarily surrendered the corporate license to the Board. The Board considers surrender of license as permanent revocation.

Consent Order (Licensees)

Keith Edward Trotter (Randolph County; 98C263) License No. 25348. On January 4, 2001, the Board entered into a Consent Order by which Mr. Trotter received a formal reprimand; this will remain a permanent part in the history of License No. 25348. Mr. Trotter agreed that he had violated §87-11(a).

Mid Atlantic Petroleum Services, Inc. (Virginia; 99C272) License No. 41692. The Board entered into a Consent Order on January 16, 2001 in which Tim Banks, as Vice President and on behalf of Mid Atlantic Petroleum Services, Inc., agreed to a 6-month license suspension, conditionally restored with no active suspension and a two-year probation period. A violation of the Board's laws or regulations during the period would be followed by Mid Atlantic's additional 6-month surrender of its license to the Board.

Reginald Coleman Spain (Pitt County; 99C18) License No. 23018. On January 19, 2001, a Consent Order was entered in which Mr. Spain agreed to a 12-month license suspension, conditionally restored for 12 months following a 2-month active suspension, and to take and pass a Level I Building Code course. A Consent Order violation would be followed by an additional 10-month surrender of his license to the Board. Mr. Spain further agreed to allegations of violating two sections of the NC State Building Code in the construction of apartments, as well as failing to disclose liens previously undisclosed on his 1991, 1993,

1994, 1998 and 1999 license renewal applications.

Jason D. Pettit (Wake County; 97C63) License No. 6442. A Consent Order was entered on January 23, 2001 by which Mr. Pettit agreed to a 90-day active suspension of License No. 6442, which resulted from his violation of an earlier Consent Order with the Board.

In May 2000, Mr. Pettit signed his first Consent Order involving Board complaint file No. 97C63 (reported in NCLBGC Spring/Summer 2000 *Bulletin*). In the earlier Consent Order, Mr. Pettit agreed not to practice general contracting for 90 days, conditionally restored following a 60-day active suspension; however, Mr. Pettit violated that Board Order to which he had consented by requesting inspections as general contractor on May 17/18, 2000. In August of 2000 when the Board advised Mr. Pettit that the conditional restoration of his license had been rescinded and that he was to surrender his license to the Board for 90 days, he refused. File No. 97C63 was then reopened, resulting in the current Consent Order carrying a 90-day active suspension with no conditional restoration.

Larry Rhodes t/a W.N.C. Construction (McDowell County; 99C206) License No. 42737. On January 23, 2001, a Consent Order was entered in which Mr. Rhodes agreed to a 15-month license suspension, conditionally restored for 12 months following a 12-month active suspension. A violation would be followed by an additional 3-month surrender of his license to the Board. Mr. Rhodes also agreed to allegations that at a time when he was licensed as a general contractor in South Carolina, but had only applied for licensure in North Carolina, he submitted a proposal in excess of \$30,000 to up-fit a modular home in North Carolina. Mr. Rhodes further agreed with allegations that he entered into a contract to construct a single-family dwelling, began the work, but failed to complete the project within a reasonable period of time.

Robert Lee Bryan (Pitt County; 98C257) License No. 24678. A Consent Order was entered on January 24, 2001 in which Mr. Bryan agreed to an 18-month license suspension, conditionally restored for 18 months following a 12-month active suspension. A violation of this Consent Order would be followed by a 6-month surrender of license to the Board. Mr. Bryan further agreed with allegations that he had applied for 4 building permits for condominium

units at an estimated cost of \$118,250 per unit; however, he did not act as contractor for the projects. Instead, another contractor agreed to furnish construction materials and services and employed Mr. Bryan as qualifier and to work as construction superintendent.

The Pinnacle Corporation, Inc. t/a PCI (Onslow County; 99C106) License No. 43991. On January 24, 2001, a Consent Order was entered in which Rhonda S. Nix, as President and on behalf of PCI, agreed to a 6-month license suspension, conditionally restored for 15 months following a 2-month active suspension. A Consent Order violation would mean an additional 4-month active suspension. Ms. Nix further agreed with allegations that prior to its license being granted, PCI applied for a building permit to construct a 245-foot communications tower using the license number of another, as well as entering into a contract to construct the tower.

Boyce P. Freeze (Rowan County; 99C186) License No. 13974. A Consent Order was entered on January 31, 2001 in which Mr. Freeze agreed to a 9-month license suspension, conditionally restored for 6 months following a 6-month active suspension. A violation of his Consent Order would be followed by an additional 3-month active suspension. Mr. Freeze further agreed with allegations of obtaining building permits for the construction of two residences where he listed himself as the general contractor, but in fact was not.

Ronnie L. Ashburner (Union County; 99C170 and 99C207) License No. 34065. On February 13, 2001, a Consent Order was entered in which Mr. Ashburner agreed to a 12-month license suspension, conditionally restored for 12 months following a 6-month active suspension, and to take and pass a Level I Building Code course. A Consent Order violation would mean an additional 6-month active suspension. Mr. Ashburner also agreed with allegations of code violations in the construction of two single-family dwellings.

William F. Petzold (Mecklenburg County; 99C298) License No. 33643. A Consent Order was entered on February 28, 2001 in which Mr. Petzold agreed to a 24-month license suspension, conditionally restored for 18 months following a 12-month active suspension. A violation of his Consent Order would be followed by an additional 12-month active suspension. Mr. Petzold further agreed with allegations of obtaining building permits for the renovation of a

hotel; an unlicensed contractor acted as the general contractor for the project and not Mr. Petzold.

James G. Lake, Sr. General Contractor, Inc. (Dare County; 00C100) License No. 39479. On March 12, 2001, a Consent Order was entered in which Mr. Lake agreed to an 18-month license suspension, conditionally restored for 15 months following a 12-month active suspension. A violation would be followed by an additional 6-month surrender of his license to the Board. Mr. Lake also agreed to allegations that he obtained a building permit to erect a retail store, but allowed another general contractor with a residential license to construct the building.

Robert P. Oliver (Richmond County; 00C97) License No. 25664. A Consent Order was entered on March 26, 2001 in which Mr. Oliver agreed to a 24-month license suspension, conditionally restored for 18 months following a 12-month active suspension. A violation of his Consent Order would be followed by an additional 12-month active suspension. Mr. Oliver further agreed with allegations of obtaining 6 building permits for the construction of improvements on 6 units, that he listed himself as the general contractor, but did not act as the general contractor and failed to adequately supervise the project.

The Graycon Group, Inc. (Catawba County; 00C59) License No. 42674. On March 26, 2001, a Consent Order was entered in which M.G. Cranfill, Jr. agreed to an 18-month license suspension, conditionally restored for 18 months following a 12-month active suspension. A violation would be followed by an additional 6-month surrender of his license to the Board. Mr. Cranfill additionally agreed to allegations of entering into a partnership with an unlicensed contractor, allowing the unlicensed contractor to use License No. 42674 on a contract where the unlicensed contractor was to construct a single-family dwelling.

Lee V. Thompson, Jr. (Hertford County; 98C270 and 98C281) License No. 25748. A Consent Order was entered on April 2, 2001 in which Mr. Thompson agreed to a 6-month license suspension, conditionally restored for 24 months with no active suspension. A violation of his Consent Order would be followed by a 6-month active suspension. Mr. Thompson further agreed with allegations of obtaining building permits using the name Thompson Development and Thompson Development Corporation for the construction of two residences in

which a total of 16 violations of the NC State Building Code were found.

Coupland & Mintz Construction, Inc. (New Hanover County; 00C42) License No. 41994. On April 11, 2001, a Consent Order was entered in which Howard W. Coupland, Jr., as President and on behalf of Coupland & Mintz Construction, Inc., agreed to a 30-day license suspension, conditionally restored for 12 months with no active suspension. A violation would be followed by an additional 3-month surrender of his license to the Board.

T. Newton & Company Construction, Inc. (Burke County; 99C269, 99C309 and 00C181) License No. 29114. A Consent Order was entered on May 15, 2001 in which Mr. Timothy Newton, as President and on behalf of T. Newton & Company Construction, Inc., consented to a 1-year license suspension, conditionally restored for 18 months following a 6-month active suspension and to take and pass a Level I Building Code course. A violation of his Consent Order would be followed by an additional 6-month active suspension. Mr. Newton further agreed with allegations of 15 total violations of the NC State Building Code in the construction of a basement foundation and set-up of a modular house, as well as in the construction of 2 single-family dwellings. Mr. Newton attempted to make necessary repairs.

Calvin Gibbs (Dare County; 00C80) License No. 26088. On April 17, 2001, a Consent Order was entered in which Mr. Gibbs agreed to a 12-month license suspension, conditionally restored for 15 months provided that he comply with the following conditions during the 15 months: Within 30 days, he was to send to the Board a complete list of all current unfinished projects in which the cost of the undertaking was \$30,000 or more; except for those unfinished projects, for 9 months he was not to bid upon, construct, or undertake to superintend, manage, or enter into contracts on his own behalf or for any unlicensed person, unlicensed firm, or unlicensed corporation the construction of any other building, highway, public utilities, grading or the improvement or structure of any project where the cost of the undertaking was \$30,000 or more; and comply with Chapter 87 and the Board's rules and regulations. A violation would be followed by an additional 3-month surrender of his license to the Board. Mr. Gibbs also agreed to allegations that at a time when he held a residential license, he built a retail store, repaired and constructed

office space at a county courthouse and performed repairs to and erected vinyl siding on another county building.

Richard A. Kral, Jr. Formerly t/a Big Dog Construction, Presently t/a Craftsman Construction Company (Macon County; 00C52) License No. 43583. A Consent Order was entered on April 17, 2001 in which Mr. Kral agreed to a 12-month license suspension, conditionally restored for 15 months provided that he comply with the following conditions during the 15 months: Within 30 days, he was to send to the Board a complete list of all current unfinished projects in which the cost of the undertaking was \$30,000 or more; except for those unfinished projects, for 3 months he was not to bid upon, construct, or undertake to superintend, manage, or enter into contracts on his own behalf or for any unlicensed person, unlicensed firm, or unlicensed corporation in the construction of any other building, highway, public utilities, grading or the improvement or structure of any project where the cost of the undertaking was \$30,000 or more; and comply with Chapter 87 and the Board's rules and regulations. A violation would be followed by an additional 9-month surrender of his license to the Board. Mr. Kral also agreed to allegations that at a time when he was unlicensed he provided an estimate and began to construct a log home, misrepresenting to the customer that a licensee would be working as the contractor for the project. Mr. Kral agreed to allegations that another licensee obtained the building permit and he, Mr. Kral, was to take over the project once he became licensed.

Eric Jonathan Coffey (Guilford County; 99C321 and 00C193) License No. 20456. On May 11, 2001, a Consent Order was entered in which Mr. Coffey agreed to a 6-month license suspension, conditionally restored for 12 months with no active suspension. A violation would be followed by an additional 30-day surrender of his license to the Board. Mr. Coffey also agreed to allegations of obtaining a building permit for the construction of a single-family dwelling on which he listed himself as the general contractor and an unlicensed entity (known now to be a contractor) as the owner of the property. About 6 months later, the unlicensed contractor entered into a contract to convey a single-family dwelling at the same address as the one Mr. Coffey had obtained a permit to build. At no time did Mr. Coffey have a contractual relationship with the purchasers of the home, but he did have a

contractual relationship with the unlicensed contractor, and Mr. Coffey did monitor the construction of the home.

Ozone Enterprises, Inc. (Guilford County; 00C305) License No. 19753. A Consent Order was entered on May 14, 2001 in which Leon I. Roberts, as President and on behalf of Ozone Enterprises, Inc., agreed to a 9-month license suspension, conditionally restored for 18 months with no active suspension. A violation of its Consent Order would be followed by an additional 9-month active suspension. Mr. Roberts further agreed with allegations that Ozone Enterprises, Inc. applied for a building permit on 3/1/00 for the construction of a garage and patio addition to a single-family dwelling, which happened to be located at the same address where an unlicensed individual had previously submitted 2 proposals (that were accepted on 3/1/00) for the construction of a garage and patio addition to a single-family dwelling costing in excess of \$30,000.

Keith Allen Clark (Bladen County; 99C229) License No. 41790. On May 15, 2001, a Consent Order was entered in which Mr. Clark agreed to notify the Board within 7 days of all ongoing or contracted for construction projects of \$30,000 or more and then to notify the Board immediately upon his completion of those listed projects. Following completion of the listed projects, Mr. Clark further agreed to a 90-day suspension of License No. 41790, conditionally restored following a 30-day active suspension, provided that within 3 months of executing the Consent Order, he had made necessary repairs to a dwelling he had constructed, and that during the 12-month period immediately following his 30-day active suspension, License No. 41790 would be subject to abiding by the Board's rules and regulations. Also within 1 year of executing the Consent Order, Mr. Clark agreed to take and pass a Level I Building Code course. A violation of any consent order terms would be followed by an additional 60-day surrender of his license to the Board. Mr. Clark additionally agreed to allegations that at a time when his license had become invalid, he obtained a building permit to construct a single-family dwelling and that he constructed a single-family dwelling for another person which had 10 violations of the NC State Building Code.

Formerly: Capitol Builders, Inc. Now: F.G. Norvell Homes, Inc. (Mecklenburg County; 00C167) License No. 35854. On May 18, 2001 a Consent Order was entered

in which Frederick G. Norvell, as President and on behalf of F.G. Norvell Homes, Inc., agreed to a 60-day license suspension, conditionally restored for 6 months following a 30-day active suspension. A violation would be followed by an additional 30-day surrender of his license to the Board. Mr. Norvell also agreed to allegations that he entered into a contract for the construction of a single-family dwelling for a cost far in excess of his license limitation.

John Wayne Perry (Mecklenburg County; 99C297) License No. 22977. A Consent Order was entered on May 29, 2001 in which Mr. Perry agreed to a 12-month license suspension, conditionally restored for 12 months, provided that during the conditional restoration of his license, and within 30 days of service of his Consent Order, he would submit to the Board a list of current unfinished projects in which the cost of the undertaking was \$30,000 or more; except for those unfinished projects, for 6 months, he was not to bid upon, construct, or undertake to superintend, manage, or enter into contracts on his own behalf or for any unlicensed person, unlicensed firm, or unlicensed corporation in the construction of any other building, highway, public utilities, grading, or the improvement or structure of any project where the cost of the undertaking was \$30,000 or more; and comply with the Board's rules and regulations. A violation of his Consent Order would be followed by an additional 6-month surrender of his license to the Board. Mr. Perry also agreed to allegations that in the construction of a single-family dwelling, there were 6 violations of the NC State Building Code.

Linda R. Grafton (Stokes County; 00C312) License No. 38127. On June 14, 2001, a Consent Order was entered in which Ms. Grafton agreed to a 12-month license suspension, conditionally restored for 15 months following a 9-month active suspension. A violation would be followed by an additional 3-month surrender of her license to the Board. Ms. Grafton also agreed with allegations that she signed her name and License No. 38127 on a contract for the construction of a 2-story log home, which contract was entered into by an unlicensed company, as contractor, and two potential homeowners.

C. Glenn Todd t/a Todd & Company (Vance County; 00C248) License No. 28769. A Consent Order was entered on June 14, 2001 in which Mr. Todd agreed to voluntarily surrender License No. 28769 and return to the Board his original Certificate of

License and his most recent Renewal Certificate.

Admissions of Violation (Licensees)

Cecil E. Barker, Jr. (Person County; 00C404) License No. 41203. On February 1, 2001, an Admission of Violation was filed in which Mr. Barker admitted obtaining building permits in 2000 and subsequently performing the construction of an apartment complex for a cost in excess of his license limitation.

Philip Anthony Beauchamp t/a Beauchamp Building Co. (Davie County; 00C285) License No. 35049. An Admission of Violation was entered on February 1, 2001 in which Mr. Beauchamp admitted violating two sections of the NC State Building Code in the 1999 construction of a residence.

Arnold Burns Construction Co., Inc. (Moore County; 00C246) License No. 33522. On February 1, 2001, an Admission of Violation was entered in which Mr. Burns admitted allowing an unlicensed partnership of which he was a partner to use the license number belonging to Arnold Burns Construction Co., Inc. in obtaining three building permits for the construction of single-family residences.

Paramount Homes, Inc. (Carteret County; 00C265) License No. 23385. An Admission of Violation was filed on February 6, 2001 in which Gary Gardner, President, admitted violating seven sections of the NC State Building Code in the 1997 renovation and construction of an addition to a residence, as well as failing to disclose a lien not previously disclosed to the Board on Paramount's 2000 renewal application.

D.L. Walke Construction, Inc. (Rutherford County; 00C250) License No. 11037. On February 13, 2001, an Admission of Violation was filed in which William L. Walke, on behalf of D.L. Walke Construction, Inc., admitted violating two sections of the NC State Building Code in the 1999 renovation and repair of a single-family dwelling.

Ben Britt (Wake County; 00C263) License No. 44599. An Admission of Violation was filed on February 28, 2001 in which Mr. Britt admitted violating two sections of the NC State Building Code in the remodeling and construction of an addition to an existing building.

Hughes Construction (Davidson County; 00C180) License No. 16489. On April 17, 2001, an Admission of Violation was filed in which Mr. Willard F. Hughes, on behalf of Hughes Construction, admitted obtaining five building permits in 1999 for projects exceeding \$30,000 each at a time when License No. 16489 had not been renewed for that year.

C & D Quality Builders, Inc. (Onslow County; 00C138) License No. 42200. An Admission of Violation was filed on April 17, 2001 in which Connie C. Sowers, on behalf of C & D Quality Builders, Inc., admitted performing repairs on a residence without obtaining the required building permit.

William U. Farrington Construction, Inc. (Carteret County; 00C139) License No. 35381. On June 4, 2001, an Admission of Violation was filed in which Mr. Farrington, on behalf of himself individually and William U. Farrington Construction, Inc., admitted failing to disclose a 1999 lawsuit on the 2000 license renewal with the Board.

Hobbs Investments, Inc. (Brunswick County; 99C289) License No. 27626. An Admission of Violation was filed on June 8, 2001, in which Michael L. Hobbs, on behalf of Hobbs Investments, Inc., admitted violating five sections of the NC State Building Code in the 1997 construction of a single-family dwelling.

Peterson Residential/Commercial Builders, Inc. (Watauga County; 00C164) License No. 43366. On June 19, 2001, an Admission of Violation was filed in which Harry Peterson, as President and on behalf of Peterson Residential/Commercial Builders, Inc., admitted contracting to build a single-family dwelling, but then applying for the permit using License No. 40988, issued to Harry V. Peterson individually. Mr. Peterson further admitted violating eight sections of the NC State Building Code in the construction of the home, all of which he subsequently corrected.

Unlicensed Contractor Cases—Injunctions

AIM Home Improvers, Inc. (Guilford County; 01C28) Richard Jenkins, President of Aim Home Improvers, Inc., signed an Affidavit of Admission on May 10, 2001 in which he admitted that on July 7, 2000 AIM Home Improvers, Inc. submitted a Proposal to construct a garage, build a retaining wall, install a new concrete driveway and install

drainage at an existing home for a price of \$39,455. The City of Greensboro issued a building permit for the work, but voided the permit when they discovered that Aim Home Improvers, Inc. was not a licensed general contractor. In signing the Affidavit of Admission, Mr. Jenkins admitted that Aim had engaged in the practice of general contracting in the State of North Carolina in violation of §§ 87-1 and 87-13; however, by his Affidavit of Admission Mr. Jenkins further assured the NC Licensing Board for General Contractors that Aim Home Improvers, Inc. will not engage in the unlicensed practice of general contracting again until such time, if ever, as the corporation is properly licensed. He also agreed that his Affidavit of Admission could be used for any purpose by the NC Licensing Board for General Contractors, including but not limited to obtaining an injunction against Aim Home Improvers, Inc. in the event that the Board receives any further complaints and in evaluating any future [Aim] application to the Board for a general contractor's license.

Default Judgment: Permanent Injunctions were obtained by entry of a Default Judgment in Wake County Superior Court against each of the unlicensed contractors listed below for practicing general contracting in an amount of \$30,000 or more, in violation of N.C.G.S. §87-13. In some instances, the Sheriff was unable to locate the contractors and/or Certified Mail was not delivered, but the Board effected service either by newspaper publication or through the Secretary of State; nevertheless, the contractors were enjoined from further practice of general contracting (including bidding) in an amount of \$30,000 or more until such time as he/she becomes licensed by the Board.

Harold Guy Smock d/b/a Smock Construction (New Hanover County; 99C225) Mr. Smock entered into a contract to construct a single-family home for an amount of \$94,000, but listed another as the general contractor and himself as a subcontractor. The other contractor was unaware of the project and did not authorize Mr. Smock to obtain a building permit in his name. In another situation, Mr. Smock contracted to construct an addition to an existing home for \$30,000; he began construction, was paid the full amount, but failed to complete the project. In a third scenario, Mr. Smock contracted to renovate and construct an addition to an existing home for an estimated cost of \$30,000. Default Judgment was entered on February 14, 2001.

Chris Hilderbrandt (Virginia; 00C70) Mr. Hilderbrandt entered into a contract to construct a single-family dwelling providing

labor and materials costing \$58,000. Default Judgment was entered on February 14, 2001.

Michael Luchansky (Wake County; 00C06) Mr. Luchansky contracted to remodel an existing home for \$43,000. Default Judgment was entered on February 14, 2001.

Eagle Contracting, Inc. (Harnett County; 00C90) Eagle Contracting, Inc. applied for a building permit to construct a home at a cost of \$110,000, undertook construction and sold the home after completion. Default Judgment was entered on February 14, 2001.

Jerome Fuller and Reginald Shaw d/b/a S & F Building Consultants, Inc. (Pitt County; 00C175) Mr. Fuller and Mr. Shaw submitted a proposal to renovate a church for a price of \$145,199. Default Judgment was entered on February 15, 2001.

David Magee d/b/a Interstate Construction Services (South Carolina; 00C86) Mr. Magee submitted a proposal to construct an office addition for a price of \$42,500. Default Judgment was entered on February 16, 2001.

Donny R. Batts d/b/a Batts Builders and Custom Cabinets Sampson County; 00C240) Mr. Batts contracted to renovate and construct an addition to a home for the price of \$82,135. Default Judgment was entered on May 24, 2001.

Professional Restoration Group, Inc. (New Hanover County; 00C279) Professional Restoration Group, Inc. submitted a 241-page estimate to a hotel group to repair hurricane damage for a price of \$1,433,158.46. Default Judgment was entered on May 24, 2001.

Larry Albert Mitchell d/b/a Quality Home Improvement (Harnett County; 00C220) Mr. Mitchell contracted to renovate a home for a price of \$25,000, but was actually paid a total of \$56,900 for the work. Default Judgment was entered on May 24, 2001.

W.C. Hite d/b/a Quality Plus (Granville County; 00C314 and 99C325) Mr. Hite contracted to renovate an existing home for a price of \$31,800. Default Judgment was entered on May 24, 2001.

Stanley D. Wallace d/b/a Wallace Builders (Davidson County; 00C361) Mr. Wallace contracted to remodel an existing home for a total estimated price of \$36,695, but was actually paid \$46,987.60. Default Judgment was entered on May 25, 2001.

Consent Orders of Unlicensed Contractors: Permanent Injunctions were obtained by entry of a Consent Order in Wake County Superior Court concerning each of the following unlicensed contractors who practiced general contracting in an amount of \$30,000 or more, in violation of N.C.G.S. §87-13, but who admitted to their wrongdoing, paid court costs and service fees and cooperated with the Board in the matter.

Nelson D. Corbin d/b/a Corbin Builders (Robeson County; 00C201, 00C224, 00C228, 00C229 and 00C230) Mr. Corbin contracted with various individuals to construct single-family homes for prices each in excess of \$30,000. A permanent injunction was obtained by entry of a Consent Order on December 21, 2000.

Andrew A. Stanley d/b/a Stanley Remodeling and Renovations and Stanley Remodeling & Renovation Inc. (Rockingham County; 00C61) Defendants submitted a proposal to remodel a commercial building for a price of \$36,000. A permanent injunction was obtained by entry of a Consent Order on January 29, 2001.

Wesley O'Hara Little d/b/a O'Hara's Design/Build (Wake County; 99C239) Mr. Little contracted to renovate a farmhouse for a price of \$125,000. A permanent injunction was obtained by entry of a Consent Order on November 7, 2000, but it was not filed in Wake County Superior Court until February 1, 2001.

Joseph Lanier (Pender County; 00C348) Mr. Lanier undertook construction of two homes for sale to the public in amounts in excess of \$30,000. A permanent injunction was obtained by entry of a Consent Order on February 2, 2001.

Tim Gaskins d/b/a Gaskins Remodeling (Pamlico County; 00C222) Mr. Gaskins contracted to repair hurricane damage to a mobile home for a price of \$51,587.03. A permanent injunction was obtained by entry of a Consent Order on February 2, 2001.

Paul Barbour d/b/a Paul Barbour & Son (Wake County; 00C370) Mr. Barbour submitted a bid to a county school system to construct suspended ceilings in 3 schools, each at a price exceeding \$30,000. Mr. Barbour was awarded one of the projects, and he undertook the construction for a total price of \$81,300, but was unaware that his actions violated NC law. A permanent injunction was obtained by entry of a Consent Order on February 8, 2001.

AWS Roofing Services, LLC (Florida; 00C153) AWS Roofing Services, LLC con-

tracted with three locations of the same hotel chain to perform sloped roof restoration for costs in excess of \$30,000, but was unaware that its actions violated NC law. A permanent injunction was obtained by entry of a Consent Order on February 8, 2001.

Calvin Banks d/b/a Calvin Banks Construction (Henderson County; 00C205) Mr. Banks submitted a bid to construct interior office and multipurpose space within a commercial building for a total cost of \$128,000. A permanent injunction was obtained by entry of a Consent Order on February 13, 2001.

Henry Ellerbe d/b/a N&D Home Improvement (Mecklenburg County; 00C203) Mr. Ellerbe contracted to construct an addition to an existing home for a price of \$46,000, and later contracted to construct an addition to another existing home for a price of \$48,000. A permanent injunction was obtained by entry of a Consent Order on February 13, 2001.

Donald Phillips d/b/a Sunshine Plus (Craven County; 00C274) Mr. Phillips contracted to renovate an existing home for a price of \$14,000, subsequent changes to the project increased the total cost to \$67,729. A permanent injunction was obtained by entry of a Consent Order on February 13, 2001.

Steve M. Hall (Cherokee County; 00C148) Mr. Hall obtained a building permit as owner/builder to construct a single-family residence and undertook construction. Prior to completion of the house, Mr. Hall entered into an Offer to Purchase and Contract to sell the house for a price of \$108,000 without being licensed by the Board. A permanent injunction was obtained by entry of a Consent Order on February 15, 2001.

Kenneth Rahal d/b/a Floor Restore (Moore County; 00C231) Mr. Rahal contracted to repair a home and pool house damaged by fire for a price of \$310,000. A permanent injunction was obtained by entry of a Consent Order on February 26, 2001.

Dorothy Wilson d/b/a D&L Home Improvements (Chowan County; 00C349) Ms. Wilson submitted two bids to remodel homes; one was for a cost of \$34,150 and the other was for \$30,805. A permanent injunction was obtained by entry of a Consent Order on February 26, 2001.

Ronald Brunson d/b/a Underbid Construction (Guilford County; 00C318) Mr. Brunson contracted to construct a garage and patio for a total price of \$37,812, believing his actions to be consistent with NC law

because he was working with a licensed general contractor. A permanent injunction was obtained by entry of a Consent Order on March 12, 2001.

Charles Rumphash d/b/a Charlie Rumphash Builders, Co. (Surry County; 00C290) Mr. Rumphash, along with a licensed general contractor, contracted to construct a log home for a price of \$170,740, believing that he was a subcontractor to the general contractor for the project. A permanent injunction was obtained by entry of a Consent Order on March 12, 2001.

Daryl Crawford d/b/a the Masterbuilders of the Carolinas and Master Builders of the Carolinas, LLC (South Carolina; 00C261) In June of 1999, Mr. Crawford contracted to construct a home for a price of \$181,566. In September of 1999, Mr. Crawford changed the structure of his business to a limited liability company, unaware that defendants' actions violated NC law. A permanent injunction was obtained by entry of a Consent Order on March 12, 2001.

Douglas Mauldin d/b/a Douglas Mauldin Builder (Franklin; 00C237) Mr. Mauldin contracted to construct an addition to a home for a price of \$38,200, but later enlarged the contract to include a deck and siding, increasing the contract amount to \$41,490. A permanent injunction was obtained by entry of a Consent Order on March 28, 2001.

Jeffrey C. Braswell d/b/a Burns and Braswell Partnership (Scotland County; 00C247) In 1999 Mr. Braswell obtained a building permit to construct a single-family home. The building permit application listed "Burns and Braswell Construction" as the contractor and stated a construction cost of \$55,000. Mr. Braswell contended that he has never misrepresented himself as a contractor, but that the permit application was completed out by an employee of the permit office and later signed by Mr. Braswell himself, who did not notice how the contractor was listed. A permanent injunction was obtained by entry of a Consent Order on March 28, 2001.

Jonathan Barfield and Hobbs/Barfield Construction Co. (New Hanover County; 00C187) Defendants contracted to construct a 2,000 square foot building for a price of \$100,000. A permanent injunction was obtained by entry of a Consent Order on March 28, 2001.

Hugo Alston d/b/a Hugo Alston & Associates (Durham County; 00C366) Mr. Alston contracted to renovate an existing home for a total price of \$55,194, unaware that his actions violated NC law. A permanent injunction was obtained by entry of a Consent Order on January 29, 2001.

Gregg Register Builders, Inc. (Carteret County; 00C233) Gregg Register Builders, Inc. contracted to construct a single-family home for a price of \$149,167. A permanent injunction was obtained by entry of a Consent Order on April 25, 2001.

Glenn L. Roberts (Gaston County; 00C316) Mr. Roberts entered into an agreement for the purchase and sale of real property, and subsequently undertook construction of a single-family house on the property. Prior to closing on the contract, Mr. Roberts entered into an Offer to Purchase and Contract for the sale of the same property to a third party. In March of 2000, the property was transferred to Mr. Roberts and his wife; and the next day, the same property was transferred to the third party for a price of \$93,500. Mr. Roberts denies having engaged in any unauthorized or unlicensed general contracting, but specifically contends that his construction activities were for his own use as owner of the property. Further, while not admitting the truth of the Board's allegations, Mr. Roberts chooses not to contest them and consents to the entry of a permanent injunction on the terms that he will not engage in the practice of general contracting in NC until such time, if ever, when he is licensed to do so. A permanent injunction was obtained by entry of a Consent Order on May 25, 2001.

Joseph Dunn and Nancy Dunn d/b/a Jan Roofing & Remodeling Co., Inc. (Craven County; 00C221) Defendants submitted a proposal in November of 1999 to repair hurricane damage to an inn for a total cost of \$50,862, unaware that their actions violated NC law. A permanent injunction was obtained by entry of a Consent Order on June 4, 2001.

Dean Fender d/b/a Fender Home Improvements (Alleghany County; 00C102) Mr. Fender provided an estimate to renovate a residence at a cost of \$27,271.32. Because the homeowners' lending bank was concerned about the possibility of damages resulting from the renovations, Mr. Fender added a miscellaneous cost of \$3,000 as a contingency to fully cover any such resulting damage to satisfy the lending bank. The \$3,000 increased the estimated amount of

the undertaking to \$30,271.32, in violation of NC law. A permanent injunction was obtained by entry of a Consent Order on June 4, 2001.

Thomas Kelly (Wake County; 00C304) Mr. Kelly contracted to construct a room addition for a price of \$25,700, but subsequent changes increased the contract price to \$45,200, in violation of NC law. A permanent injunction was obtained by entry of a Consent Order on June 4, 2001.

McMillan Contracting, Inc. (Robeson County; 00C335) McMillan Contracting, Inc. submitted a bid of \$788,968.50 for water system utility construction. Defendant's owner, David McMillan, is a licensed general contractor whose wife prepared the bid; she mistakenly listed McMillan Contracting, Inc., rather than her husband as the bidder. Neither McMillan Contracting, Inc. nor David McMillan was aware that the bid violated NC law. A permanent injunction was obtained by entry of a Consent Order on June 4, 2001.

Lewis Ray Moore d/b/a Moore's Home Improvement (Surry County; 01C80) Mr. Moore contracted to construct an addition to an existing home for a price of \$35,900, unaware that his actions violated NC law. A permanent injunction was obtained by entry of a Consent Order on June 4, 2001.



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