North Carolina Licensing Board for General Contractors

REPORT

<table>
<thead>
<tr>
<th>Appointment Announcements</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summary of Amended Rules</td>
<td>2</td>
</tr>
<tr>
<td>Final Decisions</td>
<td>3</td>
</tr>
<tr>
<td>Consent Orders (Licensees, Including Definitions)</td>
<td>3</td>
</tr>
<tr>
<td>Voluntary Surrenders</td>
<td>5</td>
</tr>
<tr>
<td>Consent Orders (Unlicensed)</td>
<td>5</td>
</tr>
<tr>
<td>Unlicensed Contractor Cases – Injunctions</td>
<td>7</td>
</tr>
<tr>
<td>Executed Reprimands</td>
<td>10</td>
</tr>
</tbody>
</table>

It’s about time!
NC Licensing Board for General Contractor’s announces North Carolina Contractors Licensing Central (NCCLiC) for online license renewal

We’re making some changes at the Licensing Board for General Contractors that we think you’re going to really like. It all comes down to improving our service to the general contractor.

After 93 years we are finally moving to an online license renewal system. In fact, we are among the last of the states that require general contractor licenses – to move to an online system. The new system is North Carolina Contractors Licensing Central or NCCLiC.

Right now, you can log on to NCCLiC.org and establish your license profile account – it only takes a few minutes and then you’ll have access to your GC license within 24 hours and be ready to complete your 2019 license renewal online in addition to a much faster way of communicating with the Board.

For your 2019 license renewal, you’ll use NCCLiC beginning in October 2018.

THE LICENSING BOARD WILL NOT MAIL PAPER APPLICATIONS!

NCCLiC benefits include:

- It’s fast – No more waiting for the mail and going back and forth with corrections.
- It’s secure – NCCLiC has state-of-the-art security, so all your information is protected.
- It’s convenient - You will be able to quickly and easily update your profile information, making needed changes to your account (such as change of company or guarantor, etc.)
- It’s accessible - You can download a copy of your license certificate 24/7. This makes it easy to get an extra copy of the certificate whenever the need arises.
- It’s informative - You’ll be in our electronic database and will receive relevant, timely information about things all GC’s need to know about, such as new laws and regulations that may affect you, before they are enacted. We will not burden you with endless and unnecessary emails.

Watch for more exciting things coming from the Licensing Board. Our aim is to offer a first-class experience to all of North Carolina’s licensed general contractors.

We want to help you. Call us at 919-571-4183 if you have any questions or need assistance.

Help spread the word about NCCLiC.org by sharing your experience with others!

LICENSING BOARD CALENDAR 2018-2019

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 17, 2018</td>
<td>Board Meeting</td>
</tr>
<tr>
<td>November 12, 2018</td>
<td>Veteran’s Day/Board Office Closed</td>
</tr>
<tr>
<td>November 22-23, 2018</td>
<td>Thanksgiving/Board Office Closed</td>
</tr>
<tr>
<td>December 24-26, 2018</td>
<td>Christmas/Board Office Closed</td>
</tr>
<tr>
<td>January 1, 2019</td>
<td>General Contractor’s Licenses Expire/ New Year’s Day/Board Office Closed</td>
</tr>
<tr>
<td>January 16, 2019</td>
<td>Board Meeting</td>
</tr>
<tr>
<td>January 21, 2019</td>
<td>Martin Luther King Jr. Birthday/ Board Office Closed</td>
</tr>
</tbody>
</table>

(Board Meeting Dates are Subject to Change)
two paragraphs of text about the Licensing Board's elections and appointments.
Summary of Amended Rules Effective in 2018

Below is a summary of amended rules approved by the NC Rules Review Commission; they became effective April 1, 2018 and have been implemented by the Board. The amendments to the NC Administrative Code, Title 21, Chapter 12 revise requirements and modernize procedures and guidelines for applicants, qualifiers and licensed general contractors.

Many of the amendments were proposed to conform with recent statutory changes; included in the amendments was the repeal of several rules that included language contained in current statutes or other rules and were deemed redundant or irrelevant to current policies and practices. The following highlights the more significant amendments to the rules:

- **21 NCAC 12 .0101 – Identification** – Reflects a change in the mailing address for the Board to its physical address of 5400 Creedmoor Rd., Raleigh, NC 27612.

- **21 NCAC 12 .0205 – Qualifier** - Clarifies that a qualifier’s exam credential shall archive if the qualifier does not serve as qualifier for an active licensee for a period of four consecutive years. Licensees and qualifiers are now required to notify the Board in writing when a qualifier ceases to be connected to a licensee. The written notice shall include the last date of employment. This rule also defines the term “Responsible Managing” as used in G.S. 87-10 to define a qualifier as a person who is engaged in the work of an applicant a minimum of 20 hours per week or a majority of the hours operated by a licensee whichever is less.

- **21 NCAC .0207 – Joint Venture** – Clarifies that if an LLC is a joint venture and does not hold a license in its own name, all members and managers of the LLC shall be licensed to practice general contracting with the appropriate classification and limitation.

- **21 NCAC 12 .0203 – Application for Licensure** – Sets forth the information required to be provided on a license application.

- **21 NCAC 12 .0304 – Fees** – Reflects which fees and the amount of the fees the Board shall charge for licensure.

- **21 NCAC 12 .0404 – Passing Grade** - States that a person taking an examination shall receive a minimum score of 70 to pass the examination.

- **21 NCAC 12.0501 – License Granted** – States that license numbers shall appear on all contracts, advertisements and licensee websites. This amended rule also provides that when the NC Department of the Secretary of State withdraws a licensee’s Certificate of Authority, the Board shall archive the license.

- **21 NCAC 12 .0503 – Renewal of License** – Clarifies the information required on a license renewal application. Also states that unless a corporation is in good standing with the NC Department of the Secretary of State a license shall not be renewed.

- **21 NCAC 12 .0504 – Increase in Limitation** – Clarifies the information required to be submitted in order to increase a license limitation.

- **21 NCAC 12 .0505 – Maintaining Current Address Notification** - States that all licensees, applicants and qualifiers shall notify the Board of any changes in mailing address, phone numbers, or email addresses within 30 days of the change through the Board’s online license and or qualifier hubs.

At its August 2018 meeting the NC Rules Review Commission approved amendments to 21 NCAC 12 .0205 and 21 NCAC 12 .0209 which had been inadvertently removed during the rulemaking process. Amendments to these rules become effective September 1, 2018 and are as follows:

- **21 NCAC 12 .0205 – Qualifier** – Establishes that a person may serve as a qualifier for no more than two licenses at any given time.

- **21 NCAC 12 .0209 – Application** – Clarifies that when an applicant or licensee intends to use an assumed name, the applicant/licensee shall follow the process set out in Chapter 66, Article 14A of the General Statutes.
Final Decisions

RW Construction Services, Inc. and Robert Dennis Weaver, Jr., Qualifier (Buncombe County, 15 C 329) License No. 72188. A disciplinary hearing was conducted on March 21, 2018 and the Final Decision was entered on March 27, 2018. RW Construction Services, Inc. was issued a limited building license on August 3, 2012. The license was last renewed on March 12, 2015, and at the time of the Board’s decision, the license was invalid. The Board, after considering the testimony and exhibits presented during the hearing, found that the actions of the Respondent Licensee constitute gross negligence, incompetency and/or misconduct in the profession. The actions of Respondent Licensee are directly attributable to and/or were committed by Respondent Qualifier and constitute gross negligence, incompetency and/or misconduct in the profession. Respondent Licensee’s ability to act as a qualifying party for a license to practice general contracting for any co-partnership, corporation or any other organization or combination are hereby revoked.

Consent Orders

E. Scott Huffman, Sr. and Edward Scott Huffman, Sr., Qualifier (Johnston County, 15 C 85) License No. 67746. On January 17, 2018, the Board entered into a Consent Order with E. Scott Huffman, Sr., as Respondent Licensee in which Respondent Licensee consented to a period of suspension of twenty-four (24) months commencing upon the Effective Date of the Consent Order. With Respondent Licensee’s consent, the suspension shall be stayed and the license conditionally restored.

Respondent Qualifier consented to a period of suspension of his examination credentials of twenty-four (24) months commencing upon the Effective Date of the Consent Order. With Respondent Qualifier’s consent, the suspension shall be stayed and the examination credentials conditionally restored. Within thirty (30) days from the date on which the Board approved the Consent Orders, Respondent Licensee consented to pay jointly with Respondent Qualifier $4,000.00 cost recovery to the Board.

F7 Development Inc. and James Edward Montague, Jr., Qualifier (Johnston County, 14 C 151 & 17 C 100) License No. 53262. On October 18, 2017, the Board entered into a Consent Order with F7 Development Inc., as Respondent Licensee in which Respondent Licensee consented to a period of suspension of twelve (12) months commencing upon the Effective Date of the Consent Order. Respondent Qualifier agreed to a period of suspension of twelve (12) months of his examination credentials commencing upon the Effective Date of the Consent Order. Within twelve (12) months from the Effective Date of the Consent Orders, Respondent Licensee and Respondent Qualifier consented to take and pass the Law and Administration course provided by the NC Department of insurance, Code Officials Qualification Board and submit to the Board written proof of satisfactory completion of the course. Within thirty (30) days from the date on which the Board approved the Consent Orders, Respondent Licensee consented to pay jointly with Respondent Qualifier $2,000.00 cost recovery to the Board.

Grayson Lee Reynolds and Grayson Lee Anthony Reynolds, Qualifier (Cumberland County) License No. 78785. On July 18, 2018, the Board entered into a Consent Order with Grayson Lee Reynolds. Respondent Licensee consented to voluntarily surrendering its license to the Board. Respondent Qualifier consented to voluntarily surrendering his examination credentials to the Board.

Mansel Construction, LLC and Darryl G. Mansel, Sr., Qualifier (Pitt County, 14 C 243 & Craven County 14 C 246) License No. 47946. On October 18, 2017, the Board entered into a Consent Order with Mansel Construction, LLC as Respondent Licensee in which Respondent Licensee consented to a period of suspension of twelve (12) months commencing upon the Effective Date of the Consent Order. With Respondent Licensee’s consent, the suspension shall be stayed and the license conditionally restored upon a six
(6) month period of active suspension. The entire period of suspension shall commence on January 1, 2018 or on the date on which Respondent Licensee notifies the Board, in writing, that all pending projects described in the Consent Order have been completed, whichever is sooner. Except for current projects described in the Consent Order, Respondent Licensee agrees that it will not undertake any additional projects valued at $30,000.00 or more prior to the commencement of the period of active suspension. Respondent Licensee shall notify the Board, in writing, within ten (10) days after final inspections have been obtained or after a certificate of occupancy has been issued for the projects identified in the Consent Order. Respondent Qualifier agreed to a period of suspension of twelve (12) months of his examination credentials commencing upon the Effective Date of the Consent Order. With Respondent Qualifier’s consent, the suspension shall be stayed and the examination credentials shall be conditionally restored upon a six (6) month period of active suspension. The terms of the suspension for Respondent Qualifier are the same as those for Respondent Licensee. Within thirty (30) days from the date on which the Board approved the Consent Orders, Respondent Licensee consented to pay jointly with Respondent Qualifier $4,000.00 cost recovery to the Board.

Phil’s Home Improvement, Inc. and Phillip Joel Walters, Qualifier (Cumberland County, 16 C 80) License No. 55432. On July 18, 2018, the Board entered into a Consent Order with Phil’s Home Improvement, Inc., as Respondent Licensee in which Respondent Licensee consented to a period of suspension of twelve (12) months commencing upon the Effective Date of the Consent Order. With Respondent Licensee’s consent, the suspension shall be stayed and the license conditionally restored. Respondent Qualifier consented to a period of suspension of his examination credentials of twelve (12) months commencing upon the Effective Date of the Consent Order. With Respondent Qualifier’s consent, the suspension shall be stayed and the examination credentials conditionally restored. Within thirty (30) days from the date on which the Board approved the Consent Orders, Respondent Licensee consented to pay jointly with Respondent Qualifier $2,500.00 cost recovery to the Board.

Ronald Arthur Potter and Ronald Arthur Potter, Qualifier (Johnston County, 15 C 84) License No. 24887. On October 18, 2017, the Board entered into a Consent Order with Ronald Arthur Potter, as Respondent Licensee in which Respondent Licensee consented to voluntarily surrendering its license to the Board. Respondent Qualifier consented to voluntarily surrendering his examination credentials to the Board.

Ryan M. Darr and Ryan M. Darr, Qualifier (Brunswick County, 15 C 35) License No. 49029. On April 18, 2018, the Board entered into a Consent Order with Ryan M. Darr, as Respondent Licensee in which Respondent Licensee consented to a period of suspension of twenty-four (24) months commencing upon the Effective Date of the Consent Order. With Respondent Licensee’s consent, the suspension shall be stayed and the examination credentials conditionally restored. Within thirty (30) days from the date on which the Board approved the Consent Orders, Respondent Licensee consented to pay jointly with Respondent Qualifier $3,000.00 cost recovery to the Board.

Walters Construction Company, Inc. and Alan C. Walters, Qualifier (Moore County, 14 C 177 & 17 C 1136) License No. 63171. On November 15, 2017, the Board entered into an Amended Consent Order with Walters Construction Company, Inc., as Respondent Licensee in which Respondent Licensee consented to surrender its license to the Board. Respondent Qualifier consented to a period of suspension of his examination credentials of eighteen (18) months commencing upon the Effective Date of the Consent Order. With Respondent Qualifier’s consent, the suspension was stayed and the examination credentials conditionally restored. Within twelve (12) months from the Effective Date of the Consent Order, Respondent Qualifier consented to take and pass a Level I Building Code Course offered by the North Carolina Department of insurance or an equivalent course dealing with the North Carolina State Residential Building Code and submit to the Board written proof of satisfactory completion of the course. Within thirty (30) days from the date on which the Board approved the Consent Order and pursuant to G.S. 87-111e, Respondent Qualifier consented to remit to the Board $2,000.00 in cost recovery.
Voluntary Surrenders

Timothy Johnson, Qualifier (Johnston County, 14 C 256 & 14 C 279) On October 18, 2017, Respondent Qualifier Timothy Johnson voluntarily surrendered his examination credentials to the Board.

Reprimands

Alexander Evans t/a Evans Paving & Construction Co. and Alexander Evans, Qualifier (Cumberland County, 15 C 127) License No. 20485. On July 18, 2018, the Board entered into a Consent Order with Alexander Evans t/a Evans Paving & Construction Co., as Respondent Licensee, and Alexander Evans, as Qualifier, in which the Respondent Licensee and Respondent Qualifier consented to a reprimand, commencing upon the Effective Date of the Consent Order.

TKO Construction, LLC and Jonathan Fernandez Castro, Qualifier (New Hanover County, 15 C 263) License No. 66046. On April 18, 2018, the Board entered into a Consent Order with TKO Construction, LLC, as Respondent Licensee, and Jonathan Fernandez Castro, as Qualifier, in which the Respondent Licensee and Respondent Qualifier consented to a reprimand, commencing upon the Effective Date of the Consent Order.

Premier Pool & Patio, Inc. t/a Parnell Pool & Spa and Douglas Geibert, Qualifier (Cumberland County, 15 C 171) License No. 68587. On January 17, 2018, the Board entered into a Consent Order with Premier Pool & Patio, Inc. t/a Parnell Pool & Spa, as Respondent Licensee, and Douglas Geibert, as Qualifier, in which the Respondent Licensee and Respondent Qualifier consented to a reprimand, commencing upon the Effective Date of the Consent Order.

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 were alleged to have practiced general contracting in an amount of $30,000.00 or more, in violation of N.C.G.S.§87-13, but who agreed to be enjoined, paid court costs and service fees and cooperated with the Board in the matter.

Charles H. Johnson, III (16 C 297 Wake County). The Board contended that on December 1, 2014, Charles H. Johnson, III contracted with homeowners to renovate an existing home located in Raleigh, NC at a cost in excess of $30,000.00. Charles H. Johnson, III, was willing to enter into a Consent Order to resolve the case. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on January 12, 2018.
DENNIS REEVES (17 C 01 Alamance County). On August 23, 2016, Dennis Reeves obtained a building permit from the Town of Chapel Hill to upfit the Trolley Stop Hot Dogs restaurant in Chapel Hill, NC, for an estimated cost of $29,000.00. In October 2016, the Town of Chapel Hill learned that the cost of the project was in excess of $30,000.00. After being notified by the Town of Chapel Hill that he could no longer serve as general contractor, Dennis Reeves completed a “Change of Contractor” form and listed a new general contractor, however, he continued to act as a general contractor. On December 19, 2016, the Town of Chapel Hill issued a “Stop Work Order” for Dennis Reeves’ failure to comply and/or refusal to comply with State laws requirements and the false statements or misrepresentations made in securing the building permit. Before the “Stop Work Order” was issued, Dennis Reeves had billed the owner in excess of $70,000.00. The parties agreed and stipulated to the above finding of fact and agreed to be bound by the terms of a Consent Order entered on April 9, 2018.

DOUBLE K CONSTRUCTION, INC. (16 C 304 Halifax County). On August 24, 2015, Double K Construction, Inc. contracted with homeowners to repair/remodel their single-family home in Littleton, NC for a cost of $190,000.00. Double K Construction Inc.’s principal was unaware that its actions would be deemed the unauthorized practice of general contracting. The parties agreed and stipulated to the above finding of fact and agreed to be bound by the terms of a Consent Order entered on December 14, 2017.

EXTREME POOL COMPANY, INC., AND DANIEL MEDINA SERNA (16 C 410 Mecklenburg County). In 2016, Extreme Pool Company, Inc., and Daniel Medina Serna submitted two estimates to the YMCA in Western NC to replaster and repair a swimming pool and repair the pool deck for costs of $45,414.00 and $15,750.00, respectively. They undertook the work and were paid $61,164.00. In 2016, Extreme Pool Company, Inc., and Daniel Medina Serna submitted an estimate to Deerfield Community Pool in Asheville, NC to repair and replaster a swimming pool for a cost of $57,000.00. They undertook the work and were paid $57,000.00. The parties agreed and stipulated to the above finding of fact and agreed to be bound by the terms of a Consent Order entered on October 11, 2017.

FRANK BARRETT & ASSOCIATES, LLC (17 C 222 Buncombe County). The Board contended that in January 2017, Frank Barrett & Associates, LLC contracted with homeowners to design and remodel their home in Fairview, NC for a cost exceeding $30,000.00; that it then prepared an owner-builder application for building and zoning permit and submitted it to Buncombe County Permit & Inspections Department; and that it acted as a general contractor by hiring subcontractors and paying subcontractors, as well as ordering materials and overseeing the job. Frank Barrett & Associates agree to enter into a Consent Order to resolve the case. The parties agreed and stipulated to the above finding of fact and agreed to be bound by the terms of a Consent Order entered on April 27, 2018.

FRANK MARINA AND PRO CHOICE CONTRACTORS (17 C 112 Wake County). The Board contended that in May 2016, Frank Marina and Pro Choice Contractors Corporation undertook to remodel an existing home located in Raleigh, NC for homeowners where the cost exceeded $30,000.00, and that they managed the entire project, including subcontractors and received all monies from the homeowners. Frank Marina and Pro Choice Contractors were willing to enter into a Consent Order to resolve the case. The parties agreed and stipulated to the above finding of fact and agreed to be bound by the terms of a Consent Order entered on June 8, 2018.

GARTH HYSTAD AND COLORADO CUSTOM DECKS, D/B/A MOSAIC OUTDOOR LIVING AND LANDSCAPES (16 C 212 Colorado Springs, CO). The Board contended that Garth Hystad and Colorado Custom Decks contracted with homeowners to construct a multi-level deck onto a home in Raleigh, NC for a cost of $496,000.00, and that they undertook the construction, and were paid the contract price. Garth Hystad and Colorado Custom Decks denied that they engage in the unauthorized practice of general contracting, but entered into a Consent Order to resolve the case. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on January 12, 2018.

HAROLD HENDERSON D/B/A HAROLD HOME IMPROVEMENT (17 C 214 Duplin County). The Board contended that in 2016, Harold Henderson, d/b/a Harold Home Improvement, contracted with homeowners to remodel a home in Wallace, NC for an estimated cost of $34,531.44. Harold Henderson agreed to enter into a Consent Order to settle the case. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on May 8, 2018.

IPS CONSTRUCTION, INC. (17 C 203 Pasquotank County). On May 9, 2012, IPS Construction, Inc., contracted with homeowners to construct a pool in Southern Shores, NC for a cost of $61,900.00. Its principal was unaware that its actions would be deemed the unauthorized practice of general contracting. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on October 25, 2017.

JAMES W. PELLERIN, JR., AND MONARCH-MAIN, LLC (17 C 488; 17 C 489; 17 C 490; 17 C 491; 17 C 492 Buncombe County). The Board contended that James W. Pellerin, Jr. and Monarch-Main, LLC performed renovations at a commercial building in Henderson, NC, in 2015, where the payment receipts and invoices showed that subcontractors were hired, managed and paid by them in excess of $30,000.00; in 2017, they performed a complete interior remodeling of an existing dwelling in Henderson, NC, for a cost in excess of $30,000.00; and in 2017, they performed construction and renovations to a single-family residence in Hendersonville for an amount in
excess of $30,000.00. James W. Pellerin, Jr. and Monarch-Main, LLC were willing to enter into a Consent Order to resolve the case. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on May 23, 2018.

LAKE GASTON PIER-POINT CONTRACTORS, INC. (17 C 85 Northampton County). On March 1, 2017, Lake Gaston Pier-Point Contractors, Inc. ("Lake Gaston") attempted to obtain a building permit for renovations to an existing pier and boathouse belonging to boat owners in Henrico, NC for cost exceeding $30,000.00. Upon disclosure of the renovation costs to the Northampton County Code Enforcement officials, Lake Gaston’s application for the building permit was denied. Lake Gaston then had the property owners obtain an owner/building permit for the renovations, while Lake Gaston performed the work. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on February 13, 2018.

LEO CLEGG D/B/A LEO CLEGG CONSTRUCTION (NC 17 C 42 Harnett County). On December 13, 2016, Leo Clegg, d/b/a Leo Clegg Construction, contracted with homeowners to remodel an existing home in Dunn, NC in excess of $30,000.00, and then performed the work without permits and inspections. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on February 13, 2018.

JESS LEE ROY LEDFORD (NC 17 C 337 Mitchell County). On August 15, 2016 Jess Lee Roy Ledford obtained an owner-builder building permit from Mitchell County for construction of a single family home for personal use located in Bakersville, NC for an estimated cost of $85,000, and then undertook construction of the home and a Certificate of Occupancy was issued on March 30, 2017. On March 31, 2017, Jess Lee Roy Ledford completed the sale and deed transfer of the home to new homeowners and the deed was recorded on April 3, 2017 in the Mitchell County Register of Deeds. Jess Lee Roy Ledford never resided in the residence. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on April 27, 2018.

LMS CONSTRUCTION, INC. (17 C 29 Rockdale County, GA). On January 1, 2011, LMS Construction, Inc., attempted to obtain a building permit to perform repairs and remodeling to an existing commercial building, located in Morehead City, NC. A true estimated value of the construction was $300,000.00. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on June 12, 2018.

RICHARD MADDOX D/B/A MADDOX METAL ROOFING (16 C 500 Carteret County). On April 1, 2016, Richard Maddox, d/b/a Maddox Metal Roofing, contracted with the Beaufort Landing Townhome Condominium Association Inc. to remove and replace shingle roofs on three buildings in Beaufort, North Carolina for a cost of $79,950.00. Because the costs for each building was less than $30,000.00, Richard Maddox was unaware that his actions would be deemed the unlicensed practice of general contracting. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on November 22, 2017.

MILTON A. CAMPOS and M.A.C. CONTRACTORS (17 C 50 Franklin, County). On July 8, 2016, Milton A. Campos and M.A.C. Contractors contracted with homeowners to renovate an existing home located in Durham County, North Carolina, at a cost of $67,300.00. Between July 8, 2016 and October 25, 2016, homeowners paid them $46,650.00 with four personal checks for work performed at the residence. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on June 6, 2018.

ROBERT SMALLDONE AND NORTHERN VALLEY BUILDERS, LLC – (16 C 474 Wake County). On September 17, 2015, Robert Smaldone and Northern Valley Builders, LLC, contracted with homeowners to undertake an extensive renovation of a home in Apex, North Carolina for a cost of $310,000.00. Robert Smaldone obtained a building permit from Wake County using the license of Sullivan Construction. A lien was placed on the homeowner’s property by BMC East LLC f/k/a Stock Building Supply; however, Robert Smaldone and Northern Valley Builders, LLC, contend that it was the result of non-payment by Sullivan Construction and was subsequently resolved. The parties agreed to enter into a Consent Order to resolve the matter, and agreed it was not be taken as an admission of a violation of any North Carolina General Statute. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on October 25, 2017.

PAMELA JO ZEMAN (17 C 394 Orange County). The Board contended that on October 5, 2015, Pamela Jo Zeman contracted with a licensed contractor to move an existing home and reset the house on a lot located on Nags Head, NC, and also to perform alterations and additions to the structure; that the general contractor obtained the permit from the Town of Nags Head; and that on May 2, 2016, Zeman terminated the licensed contractor from the project. The Board further contended that Zeman applied for a building permit to complete the project herself, estimating the construction value to be $120,000.00, and obtained the permit; that Zeman completed an Owner Exemption Affidavit, seeking an exemption from licensure under C.S. §87-1b(2); and that Zeman undertook construction of the home and a Certificate of Compliance was issued on September 29, 2016. The Board further contended that on June 20, 2017, Zeman contracted with Kees Vacations, LLC to manage and handle rental of the property, and the home was used for rental, and that Zeman never resided in the home. Zeman agreed to enter into a Consent Order to resolve the case. The parties agreed and stipulated
to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on March 21, 2018.

PEELER CONSTRUCTION, LLC (17 C 176 Catawba County). The Board contends that on June 27, 2014, Peeler Construction, LLC, contracted with homeowners to construct a single-family home in Catawba, North Carolina for a cost of $258,000.00, and that Ryan Peeler, President and Owner of Peeler Construction, LLC used his license to obtain the building permit from the City and County of Catawba. Peeler Construction, LLC was willing to enter into a Consent Order to resolve the case. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on June 12, 2018.

ROBERT MOORE AND BRADFORD E. PALK D/B/A ALL AROUND HANDYMAN (16 C 371 Nash County). On May 9, 2016, Robert Moore and Bradford E. Palk, d/b/a All Around Handyman, entered into a contract with homeowners to build an addition onto the rear of their single-family home located in Wilson, NC for a cost of exceeding $30,000.00. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on May 8, 2018.

ROBIN SARGENT D/B/A MOUNTAIN CRAFTSMEN, LLC (17 C 318 Cherokee County). On June 16, 2017, Robin Sargent, d/b/a Mountain Craftsmen, LLC, contracted with homeowners to construct a new 20’ x 30’ building and to perform renovations to an existing building located in Valley Town, NC for a cost of $45,000.00. On May 15, 2017, Cherokee County issued the homeowner an owner’s building permit for the project. Robin Sargent acted as general contractors and received payment for the work on the project. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on May 21, 2018.

SCOTT D’ANCI D/B/A ASD ENVIRONMENTAL SERVICES (17 C 213 New Hanover County). On May 10, 2017, Scott D’Anzi, d/b/a ASD Environmental Services submitted an estimate to repair a home located in Wilmington, NC for an estimated cost exceeding $30,000.00. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on June 6, 2018.

SUNDOWN RENOVATIONS, INC. (17 C 62, Fulton County, GA). On November 3, 2016, Sundown Renovations, Inc., entered into a contract with Schulte Design & Construction, to perform repairs and remodeling to an existing commercial building in Morehead City, NC for an estimated cost of $587,000.00. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on March 2, 2018.

THOMAS WORSLEY (16 C 320 Durham County). On November 23, 2015, Thomas Worsley purchased a home located in Jacksonville, North Carolina, and thereafter remodeled the home where the cost of the remodel exceeded $40,000.00. He did not reside in the home and intended to “flip” it when the remodel was complete. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on October 24, 2017.

KEVIN KELLEY d/b/a KEVIN’S CONSTRUCTION (17 C 121 Carteret County). The Board contends that on or about March 23, 2017, Kevin Kelley, d/b/a Kevin’s Construction, contracted with homeowners to repair a house located in Pine Knoll Shores, North Carolina for a cost exceeding $30,000.00, and undertook the project and did not obtain a building permit. Kevin Kelley did not admit the allegations, but agreed to be bound to the terms of a Consent Order to resolve the case. A Consent Order was entered on June 26, 2018.

HOLDINGS INVESTMENT I, LLC (17 C 49 Wake County). The Board contended that on December 1, 2016, Holdings Investment I, LLC, signed a contract for installation of replacement windows in a commercial building located in Fuquay-Varina for a cost of $152,150.00. On January 26, 2017, Holdings Investment I, LLC, applied for and was denied a permit for the commercial project due to its being an unlicensed contractor and the project costs exceeding $30,000.00. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on June 26, 2018.

THOMAS A. BARNES t/a BARNES CONSTRUCTION (17 C 204 Pitt County). The Board contended that on or about August 2010, Thomas A. Barnes, d/b/a Barnes Construction, entered into a verbal cost-plus agreement with homeowners for installation of a new DECRA Metal Roof at their home located in Greenville, NC for a cost in excess of $30,000.00, and that he undertook the work and did not obtain the required building permit. The Thomas Barnes denied the allegations that he acted as a general contractor on or about August 2010 and thereafter, with respect to any work he performed for the homeowner, but agreed to enter into a Consent Order to resolve the case. The parties agreed and stipulated to the above findings of fact and agreed to be bound by the terms of a Consent Order entered on June 26, 2018.

Unlicensed Contractor Cases – Injunctions:

Permanent injunctions were obtained by entry of Default Judgment or a Summary 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 affected 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/it becomes licensed by the Board.

**ARMANDO MARCANTONIO** (16 C 513 Cabarrus County). On August 10, 2016, Armando Marcantonio contracted with homeowners to remodel a home in Blowing Rock, North Carolina for a cost of $63,000.00. Before stopping work and failing to complete the project, the homeowners paid him $38,240.00. Default Judgment was entered on December 7, 2017.

**CHRIS WAGONER D/B/A WAGONER AND SON’S CONSTRUCTION** (16 C 440 Carter County, TN). On September 2015, Chris Wagoner, d/b/a Wagoner and Son’s Construction, submitted proposals to homeowners to remodel a home in Sugar Mountain, North Carolina for a cost of $41,265.00. Chris Wagoner undertook the work and represented to the homeowners that additional work was required. The homeowners paid him $87,265.00. No permits were obtained for the work. Avery County issued a stop work order on the project due to the lack of a permit and the fact that Chris Wagoner was not a licensed general contractor. Default Judgment was entered on December 7, 2017.

**JEFF KOENIG** (16 C 341 Guilford County). Jeff Koenig impersonated and held himself out as a licensed general contractor by advising homeowners that he was a licensed general contractor in connection with repairs and renovations he performed on her condominium located in Charlotte, NC, using a license number issued to a licensed general contractor. Default Judgment was entered on December 7, 2017.

**EARL WIGGINS D/B/A ANGUS PROPERTY MAINTENANCE** (16 C 168 Wake County). On October 14, 2014, Earl Wiggins, d/b/a Angus Property Maintenance, contracted with homeowners to construct an addition onto a home in Raleigh, North Carolina for a cost of $61,995.00. Earl Wiggins used the license of a licensed general contractor, to obtain the building permit from the City of Raleigh. Default judgment was entered on December 7, 2017.

**CLAUDE DANIEL HOLT d/b/a CUSTOM CARE RESTORATION** (16 C 368 Mecklenburg County). On September 14, 2015, Claude Daniel Holt, d/b/a Custom Care Restoration, contracted with homeowners to repair her fire-damaged home in Granite Quarry, NC. The homeowner’s insurance company paid and the homeowner paid a total of $134,783.65 to Claude Daniel Holt for the work. Claude Daniel Holt failed to complete the job, and failed to pay his subcontractors. Default Judgment was entered on December 4, 2017.

**Voluntary Surrenders of License and or Exam Credentials**

**ForeverHome, LLC** (Wake County, New Hanover County; 14C173, 16C490, 17C89) On April 21, 2017, Lawrence E. Lippincott voluntarily surrendered the corporate license of ForeverHome, LLC to the Board. The Board considers surrender of license as permanent revocation.

**Mortez Construction, Inc.** (Watauga County; 17C234) On August 24, 2017, Dennis Moretz voluntarily surrendered the corporate license and his examination credentials to the Board. The Board considers surrender of license and examination credentials as permanent revocation.

**EMG Home Improvements** (Wake County; 16C261) On July 14, 2017, Christine Cockerell surrendered the license and her examination credentials to the Board. The Board considers surrender of license and examination credential as permanent revocation.

**Ideal Design and Development, LLC** (Watauga County; 17C323) On November 16, 2017, Robert Haugh surrendered the corporate license to the Board. The Board considers surrender of license as permanent revocation.

**Warren G. Shepherd** (Watauga County; 17C463) On December 19, 2017, Warren G. Shepherd surrendered his license and examination credentials to the Board. The Board considers surrender of license as permanent revocation.

**Frederick Nelson Cooper** (Craven County; 17C330, 17C362) On March 15, 2018, Frederick Nelson Cooper surrendered his license and examination credentials to the Board. The Board considers surrender of license as permanent revocation.

**OBX Builders, Inc.** (Dare County; 16C278) On March 1, 2018, Niels Moore surrendered the corporate license to the Board. The Board considers surrender of license as permanent revocation.

**Jon C. Caldwell** (18C27) On June 28, 2018, Jon C. Caldwell surrendered his license and examination credentials to the Board. The Board considers surrender of license and examination credentials as permanent revocation.

**Daw Construction, L.L.C.** (Cumberland, New Hanover, Franklin, Columbus Counties; 18C148, 18C168, 18C234, 18C304) On July 19, 2018, Phillip Brandon Daw surrendered the corporate license to the Board. The Board considers surrender of license as permanent revocation.

**Preservation Homes of Sanford, LLC** (Lee County; 17C480) On July 26, 2018, Thomas Ray Bland surrendered the corporate license of Preservation Homes of Sanford, LLC. The Board considers surrender of license as permanent revocation.

**Douglas Todd Johnson** (Davidson County; 18C183) On August 17, 2018, Douglas Todd Johnson surrendered his license and examination credentials to the Board. The Board considers surrender of license as permanent revocation.
2017-2018 Executed Reprimands

**Kamran Mumtaz** (Mecklenburg County; 16C98) License No. 48324. Cost recovery $2,500.00.

**James E. Coats, Jr.** (Onslow County; 16C126) License No. 23241. Cost recovery $2,500.00.

**Premier Pool & Patio, Inc. t/a Parnell Pool & Spa** (Cumberland County; 16C340) License No. 68587.

**Atlantic Foundation & Repair, LLC** (Wake County; 16C314) License No. 60032. Cost recovery $1,500.00.

**Johnson Real Estate Group, Inc.** (Buncombe County; 16C258) License No. 73956. Cost recovery $1,000.00.

**David Nicholas Proffitt t/a DNP** (McDowell County; 16C193) License No. 59079. Cost recovery $500.00.

**FS, LLC** (Brunswick County; 16C114) License No. 53778.

**Jeffrey Todd Ellis** (Iredell County; 16C373) License No. 31966. Cost recovery $1,500.00.

**Brent A. Coniglio** (New Hanover County; 16C218 & 16C228) License No. 72942.

**Jimmy Ray Starnes, Jr. t/a Jimmy Starnes Construction** (Caldwell; 16C295) License No. 62627.

**Stello Construction, Inc.** (New Hanover County; 16C369) License No. 63152. Cost recovery $2,500.00.

**Atlantic Foundation & Repair, LLC** (Wake County; 16C314) License No. 60032. Cost recovery $1,500.00.

**FS, LLC** (Brunswick County; 16C114) License No. 53778.

**Premier Pool & Patio, Inc. t/a Parnell Pool & Spa** (Cumberland County; 16C340) License No. 68587.

**Atlantic Foundation & Repair, LLC** (Wake County; 16C314) License No. 60032. Cost recovery $1,500.00.

**FS, LLC** (Brunswick County; 16C114) License No. 53778.

**Premier Pool & Patio, Inc. t/a Parnell Pool & Spa** (Cumberland County; 16C340) License No. 68587.

**Atlantic Foundation & Repair, LLC** (Wake County; 16C314) License No. 60032. Cost recovery $1,500.00.

**FS, LLC** (Brunswick County; 16C114) License No. 53778.

**Premier Pool & Patio, Inc. t/a Parnell Pool & Spa** (Cumberland County; 16C340) License No. 68587.
The Licensing Board recently launched the NCLBGC Search mobile application. NCLBGC Search app users may quickly and easily conduct license searches by entering any one of the following: license name, license number, address, or county in NC. The app provides results that include company name, license number, status (active or inactive), renewal date, address, county, telephone number, license limitation type of license, license classification, and a qualifier’s name. NCLBGC Search app users may also search for license qualifiers by entering part or all of the qualifier’s name. Results include the license number that the qualifier currently qualifies and the qualifier’s address and telephone number.

Users of the NCLBGC app include building inspectors, permit offices, general contractors, trade contractors, homeowners, FEMA, trade associations and others.

The NCLBGC Search app can by particularly useful in the case of natural disasters. Users can enter a county name and the app will provide a complete list of general contractors for that area.

NCLBGC Search is an iPhone- and Android-compatible app and is available to be downloaded free of charge on iOS and Android app stores. Simply enter “NCLBGC SEARCH” in the search box.

### 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.

**Reprimand:** A Board action wherein the licensee and/or qualifier is/are reprimanded for disciplinary purposes. The Reprimand becomes a permanent record in the file and is subject to approval by the licensee/qualifier in lieu of being referred to the full Board for formal proceedings.

**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 may 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.