

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.

1. JH & JL, LLC AND CAPE FEAR KITCHEN AND BATHS, LLC (17 C 410 New Hanover County) On August 24, 2017, John D. Long executed contracts on behalf of Cape Fear Kitchen and Baths, LLC, and JH & JL, LLC, for renovations to a house located in Carolina Beach, NC, for a total estimated cost of \$48,700.00. Each contract provided that work on the project would commence on September 1, 2017 and be completed by November 7, 2017. The parties agreed and stipulated to these facts and agreed to be bound by the terms of a Consent Order entered on September 10, 2019.

2. SUMMER BREEZE HOMES BY BRIAN ROBINETT, LLC (17 C 453 Brunswick County). Summer Breeze Homes by Brian Robinett, LLC contracted with homeowners to construct a new single family log home in Calabash, NC for an estimated cost of \$618,000.00. The contract provided that Summer Breeze Homes by Brian Robinett, LLC would provide construction services to the homeowner including all materials and labor required for the construction. Summer Breeze Homes by Brian Robinett, LLC undertook the construction by hiring, supervising and paying subcontractors. The parties agreed and stipulated to these facts and agreed to be bound by the terms of a Consent Order entered on September 10, 2019.

3. FOUR POINTS RECYCLING, LLC AND CARROLL RAYNOR (17 C 36 Pender County) The Board contended that Carroll Raynor and Four Points Recycling, LLC submitted a

bid to the Town of North Topsail Beach, Project RFP No. NTB-16-004 for repair of storm damaged berm and dune maintenance for an estimated cost of \$112,059.66. Carroll Raynor and Four Points Recycling, LLC did not believe they needed a general contractors license to perform this work, because the work involved the moving of sand and grading of the beach to prevent erosion and they did not believe it was grading as defined by NCGS 87-1 because it was not a part of or preparatory for building and construction. Four Points Recycling, LLC and Carroll Raynor agreed that they will not bid on a construction grading project where the cost exceeded \$30,000.00 unless and until such time as they become properly licensed as general contractors. The parties agreed and stipulated to these facts and agreed to be bound by the terms of a Consent Order entered on September 10, 2019.

4. **THOMAS BAILEY** (17 C 319 Jackson County) Thomas Bailey entered into an agreement with Chris McCoy and Cheri Hollifield for the purchase and installation of a 16' x 38' in-ground pool at a new single family residence located in Whittier, North Carolina for a cost of \$42,300.00. Thomas Bailey undertook to serve as the general contractor for the pool and hired and supervised the subcontractors. The parties agreed and stipulated to the above facts and agreed to be bound by the terms of a Consent Order entered on October 29, 2019.

5. **AAC ENTERPRISES, LLC** (17C285 Mecklenburg County) On or about December 9, 2016, AAC Enterprises, LLC, submitted a bid form (Bid Package #BP-10A) on renovation and addition construction for the Levine Campus Phase III on Central Piedmont Community College Campus, located in Matthews, NC. The estimated cost of the project for AAC Enterprises, LLC's scope of work listed on the bid form was \$203,200.00. On or about February 15, 2017, AAC Enterprises, LLC was awarded the project and it entered into a contract with Central Piedmont Community for the estimated cost of \$203,200.00. AAC Enterprises, LLC performed

work on the project and was paid in excess of \$30,000.00. The parties agreed and stipulated to the above facts and agreed to be bound by the terms of a Consent Order entered on July 30, 2019.

6. **ANDREWS CONTRACTORS, LLC** (18C314 Johnston County) On or about December 8, 2017, Larry Andrews, President of Andrews Contractors, LLC, submitted a proposal and entered into a contract with Deresh, Mehta, Manager, OM Homes and Properties, LLC, for remodeling and repairs on a single family dwelling located at 1304 Shade Tree Road, Benson, NC for an estimated cost of \$97,800.00. On or about March 7 2018, Andrews Contractors, LLC, misrepresented the cost of the project as \$26,000.00 on the building permit application submitted to Johnston County Inspections Department. The parties agreed and stipulated to the above facts and agreed to be bound by the terms of a Consent Order entered on September 10, 2019.

7. **CHARLES PEAKER** (18C398 Cumberland County) On or about January 16, 2018, Charles Peaker submitted a proposal to homeowner, Doris Gay, for the construction of a 12' x 14' room and 8' x 16' porch to her existing home located at 5333 Parton Road, Hope Mills, NC for an estimated cost of \$40,000.00. On January 24, 2018, Charles Peaker applied for a building permit from the Cumberland Planning & Inspection Department falsely listing the project cost as \$25,000.00 in order to obtain the permit. Charles Peaker was paid in excess of \$30,000.00 for the work on the project. The parties agreed and stipulated to the above facts and agreed to be bound by the terms of a Consent Order entered on October 29, 2019.

8. **STANLEY E. NICHOLS AND NICHOLS CUSTOM BUILDERS, LLC** (18C406, 407, 19C42, 19C159 Pitt County) The Board contended that Stanley E. Nichols and Nichols Custom Builders, LLC engaged in the practice of general contracting in North Carolina in

violation of N.C.G.S. §§87-1 and 13. Stanley E. Nichols and Nichols Custom Builders denied that they had practiced general contracting in North Carolina. Stanley E. Nichols and Nichols Custom Builders agreed that they will not undertake construction projects where the cost of the project exceeds \$30,000.00 unless and until such time as they become properly licensed as general contractors. The parties agreed and stipulated to the above facts and agreed to be bound by the terms of a Consent Order entered on October 18, 2019.

9. **HUBERT G. KING AND FLAT ROCK CUSTOM WOODWORK, LLC** (18C582 Henderson County) On or about June 2017, Hubert G. King contracted with Patrick Irwin for construction of a new single family home to be located at 212 Gallimore Road, Flat Rock, NC for the cost of the home plus 10% . The home was to be constructed on land that Patrick Irwin purchased from Hubert G. King. The cost of the home was in excess of \$30,000.00. Hubert King and Flat Rock Custom Woodwork, LLC undertook the construction of the home, hired, supervised and paid subcontractors for their work and were paid in excess of \$30,000.00. Hubert King and Flat Rock Custom Woodwork, LLC disagreed with the Board's contentions concerning the project, and did not admit them, but entered into a Consent Order to resolve this matter and stipulated that there was a sufficient factual basis to support entry of a Consent Order. The parties agreed and stipulated to the above facts and agreed to be bound by the terms of a Consent Order entered on October 18, 2019.

UNLICENSED CONTRACTORS 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.

1. **JOE THOMAS** (18C360 Wake County) On or about December 7, 2017, Joe Thomas contracted with Sarah Wilson to repair/remodel a commercial building for an estimated cost of \$40,900. Joe Thomas used License #74526, which belongs to Integrated Commercial, LLC, to obtain a building permit from Wake County Inspections Department prior to Integrated Commercial LLC involvement with the project. Joe Thomas undertook construction where the cost of the project exceeded \$30,000.00 without a license, and impersonated a licensed general contractor. Default Judgment was entered on October 28, 2019.

2. **ALI ZANZOUL** (18C489 Wake County) On or about April 20, 2018, Ali Zanzoul contracted with homeowner, Ritu Raj, for renovations to his existing home located at 912 Jewel Stone Lane, Morrisville, NC for a cost of \$54,500.00. On or about May 17, 2018, Ali Zanzoul submitted a revised contract for the renovations for a cost of \$60,000.00. On or about April 23, 2018, Ali Zanzoul misrepresented the cost of project as \$27,100.00 on the building permit application submitted to the Town of Morrisville Inspections Department. Ali Zanzoul engaged in the practice of general contracting in North Carolina in violation of G.S. §87-1 and 87-13, by undertaking construction where the cost of the project was \$30,000.00 or more. Default Judgment was entered on October 29, 2019.

3. **TRAVIS GALLOWAY** (19C82 Transylvania County) On or about January 24, 2018, Travis Galloway provided an estimate to Jon Finstrom for certain renovations and improvements to a residence located at 544 Blue Ridge Road, Lake Toxaway, North Carolina. The cost of the estimate was \$35,000.00. On or about June 13, 2018, Travis Galloway provided an additional

estimate for certain renovations and improvements at the same property. The cost of the estimate was \$25,000.00. Travis Galloway contracted with Finstrom to perform the proposed renovations and improvements and was paid in excess of \$40,000.00 for the work. Travis Galloway engaged in the practice of general contracting in North Carolina in violation of G.S. §87-1 and 87-13, by undertaking construction where the cost of the project was \$30,000.00 or more. Default Judgment was entered on October 29, 2019.

SHOW CAUSE ORDERS FOR CONTEMPT

1. **HENG QIAO ZHOU AND SEVEN SEAS CONTRACTORS, INC.** (17C165 Mecklenburg County) On July 19, 2019, a Show Cause Order for Contempt was entered in Wake County Superior Court for Heng Qiao Zhou (“Zhou”) to appear and show cause as to why he should not be held in Contempt of Court. On February 19, 2016, Zhou signed a Consent Order, which was entered by the Court on March 22, 2016, enjoining him from further practice of general contracting in North Carolina, by engaging in the activities set out in in N.C.G.S. §§ 87-1 and 87-3, without having been duly licensed. On March 8, 2017, Zhou, acting as a general contractor, entered into a contract with Yong Lin for the construction of a restaurant in Southern Pines, NC, for the contract price of \$790,000.00. In that contract, Zhou agreed to take charge of hiring all necessary contractors to construct the project, to manage all costs and expenditures on behalf of the owner, to construct the project in accordance with the construction drawings, and to make sure that the project passed all inspections. After entering into the contract, Zhou undertook to retain and otherwise engage subcontractors for the project, and made payments to subcontractors and himself out of funds provided by the owner of the restaurant property. Zhou’s conduct, as described above, constituted the unlicensed practice of general contracting in North Carolina, in violation of N.C.G.S. §§ 87-1 and 87-3. Zhou’s conduct was willful disobedience of a lawful order

of the Court, and constituted criminal contempt pursuant to N.C.G.S. § 5A-11. The facts found were established beyond a reasonable doubt and Zhou was found to be in willful criminal contempt of the Consent Order previously entered by the Court. On October 21, 2019, Zhou was ordered to be confined to the custody of the Sheriff of Wake County for a period of thirty days and ordered to pay a fine of five hundred dollars (\$500.00).

2. **TIM DREW d/b/a TRINITY CONSTRUCTION, CO.** (18C137 Wake County)

On August 13, 2019, a Show Cause Order for Contempt was entered in Wake County Superior Court for Tim Drew (“Drew”) to appear and show cause as to why he should not be held in Contempt of Court. On March 7, 2011, the Court had entered a Consent Order signed by Drew stipulating that Drew had previously engaged in the practice of general contracting without a license and enjoining Drew from the further practice of general contracting in North Carolina unless and until such time as Drew is issued a license by Plaintiff; and ordering Defendant to comply with all provisions of N.C.G.S. §§ 87-1 and 87-13. Drew has not been issued a general contracting license by the North Carolina Licensing Board for General Contractors. On or about March 20, 2015, Drew entered into a verbal agreement with NJMD Group, LLC, through its members, Nikki D’Ambrose and Jon Dick, (“the homeowner”) to remodel a single-family home located at 913 Forest Drive, Garner, NC. On or about July 15, 2015, Drew submitted an application for a building permit to the Town of Garner, representing the total cost of the project was an amount in excess of \$30,000.00. Drew began work on the project without the required permits, and hired and paid some of the subcontractors for the project. Drew was paid in excess of \$30,000.00 prior to being terminated by the owners. Drew willfully failed to comply with the terms of the March 7, 2011 Consent Order in that he undertook construction where the cost of the project equaled or exceeded \$30,000.00 without first obtaining a valid license from the

Board. The facts found above were established beyond a reasonable doubt and Drew's conduct was willfully contemptuous of the Consent Order. On December 3, 2019, Drew entered into a Consent Order for Contempt and was ordered to be confined to the Sheriff of Wake County for a period of seven days, beginning on December 3, 2019.