

STATE CONSTRUCTION INDUSTRY LICENSING BOARD  
DIVISION OF CONDITIONED AIR CONTRACTORS  
Teleconference Meeting: July 26, 2012

The Georgia State Construction Industry Licensing Board Division of Conditioned Air Contractors met on July 26, 2012, via teleconference, at the office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

**BOARD MEMBERS PRESENT:**

Ken Davis, Chairman  
Sally Allen  
James Poe  
George Leneaus

**BOARD MEMBERS ABSENT:**

Johnny Lyons  
Michael Miller, Consumer Member

**STAFF PRESENT:**

Darren Mickler, Executive Director  
Charlotte Mason, Licensing Analyst  
Annette Wimberly, Complaint Compliance Analyst

**ATTORNEY GENERAL REPRESENTATIVE:**

Amy Hawkins Morelli, Assistant Attorney General

**Call to order:**

At 9:07 a.m., Chairman Davis called the meeting to order.

**Approval of Minutes:**

Chairman Davis presented a draft of the April 11, 2012 teleconference minutes and asked for any additions or deletions. Mr. Leneaus moved to adopt the minutes. Mr. Lyons seconded. The motion carried unanimously.

**Executive Session:**

At 9:10 a.m., Chairman Davis moved for the Board to enter into Executive Session to deliberate on examination applications, investigative matters and to receive the investigative report. Mr. Leneaus seconded. The motion carried unanimously.

**The following Board members were present during Executive Session –** Chairman Davis, George Leneaus, Sally Allen, and James Poe.

**Open Session reconvened at 9:55 a.m. with the following Board members present –** Chairman Davis, George Leneaus, Sally Allen, and James Poe.

GEORGIA STATE CONSTRUCTION INDUSTRY LICENSING BOARD  
DIVISION OF CONDITIONED AIR CONTRACTORS  
Teleconference Meeting: July 26, 2012

**Applications:**

Mr. Davis moved. Mr. Leneaus seconded and the division voted to approve the examination results and ratify 34 Non-Restricted and 29 Restricted licenses issued from April 11, 2012 – July 25, 2012.

**Board Office:**

Ms. Allen motioned to accept the following recommendations regarding investigative cases:

**CR109566** - The Board made a recommendation to terminate probation status.

**CA120080** - The Board made a recommendation to refer this case to the Attorney General's Office for a Consent Order to honor judgment of \$2,875.00 and 12 months probation.

**CA120109** - The Board made a recommendation to refer this case to the Attorney General's Office for a Consent Order to make restitution of \$2,500.00 and 12 months probation.

**CA120113** - This case involves allegations of substandard work. The Board made a recommendation to refer this case to the Attorney General's Office for a Consent Order assessing a \$1,000.00 fine for improper duck work installation and improper wiring methods, and an additional 8 hours of Continuing Education on duck work installation. If respondent is not agreeable to Consent Order then seek revocation.

**CA120082** - This case involves allegations of substandard work. The Board made a recommendation to close case with no action.

**CA120114** - This case involves allegations of substandard work. The Board made a recommendation to close case due to civil matter.

**CA120115** - This case involves allegations of substandard or incomplete work. The Board made a recommendation to close case due to no violations.

**CA120124** - This case involves allegations of advertising on Craigslist. The Board made a recommendation to close case with no action.

**CA120128** - This case involves allegations of unlicensed practice and advertising Conditioned Air services. The Board made a recommendation to refer this case to the Attorney General's Office for a Cease and Desist Hearing.

**CA120144** - This case involves allegations of unlicensed practice and advertising Conditioned Air services. The Board made a recommendation to refer this case to the Attorney General's Office for a revocation of license.

GEORGIA STATE CONSTRUCTION INDUSTRY LICENSING BOARD  
DIVISION OF CONDITIONED AIR CONTRACTORS  
Teleconference Meeting: July 26, 2012

**Investigations:**

**Earl Timothy Phillips, Savannah** - The Board made a recommendation to accept the Cease and Desist Order and close case.

**Jeff Bohler, Thomson** - The Board made a recommendation to accept the Cease and Desist Order and close case.

**David C. Grimes, Albany** - The Board made a recommendation to accept the Cease and Desist Order and close case.

**Jerry Wayne Pope Jr., Albany** - The Board made a recommendation to accept the Cease and Desist Order and close case.

**Brandon Turpin, Logansville** - The Board made a recommendation to accept the Cease and Desist Order and close case.

**McNutt Service Group/Joe Bajjani, Austell** - The Board made a recommendation to accept the Cease and Desist Order and close case.

**Lestley A. Fayallero, Powder Springs** - The Board made a recommendation to accept the Cease and Desist Order and close case.

**CA110095** - This case involves allegations of unlicensed and assisting unlicensed practice. The Board made a recommendation to close with no action.

**CA110151** – This case involves substandard work. The board made a recommendation to close case due to contractual dispute.

**CA120132** - This case involves allegations of unlicensed practice. The Board made a recommendation to close case due to insufficient evidence of unlicensed practice.

**CA120130** - This case involves allegations and substantiation of unlicensed practice. The Board made a recommendation to refer this case to the Attorney General's Office for a Cease and Desist Hearing.

**CA120141**- This case involves allegations of practicing beyond scope of Conditioned Air Restricted license. The Board made a recommendation to close case due to no violations.

**CA120092** - This case involves allegations of unlicensed practice. The Board made a recommendation to close case due to insufficient evidence of unlicensed practice.

GEORGIA STATE CONSTRUCTION INDUSTRY LICENSING BOARD  
DIVISION OF CONDITIONED AIR CONTRACTORS  
Teleconference Meeting: July 26, 2012

**CA120097** - This case involves allegations of unlicensed practice and assisting unlicensed practice. The Board made a recommendation to close case due to no violations.

**CA120079** - This case involves allegations of unlicensed respondents operating a Conditioned Air business using the license of another Conditioned Air contractor. The Board made a recommendation to close case due to no violations.

**CA120143** - This case involves allegations of unlicensed practice. The Board made a recommendation to refer this case to the Attorney General's Office for a Cease and Desist Hearing.

**Richard Curry, Marietta** – The Board voted to accept the Cease and Desist Order and close.

Mr. Davis seconded. The motion carried unanimously.

**Attorney General's Status Report:**

The Assistant Attorney General reported on cases received from the Board. Mr. Davis made a motion to accept the Attorney General's report. Mr. Leneaus seconded the motion. The motion carried unanimously.

**Thomas Vickers, Auburn** – As a result of the Cease and Desist Hearing, the Board voted to accept order dismissing the case for insufficient evidence and close case.

**CA080101** – As a result of the Attorney General's memorandum dated May 30, 2012, the Board voted to close the case with no action.

**CA120017** – As a result of the Attorney General's memorandum dated May 8, 2012, the Board voted to close the Conditioned Air case on Respondent 1, and to refer Respondent 2 to the State Board of Residential and General Contractors and to send the case back to Secretary of State's Investigative Services.

**CA110146** – As a result of the Attorney General's memorandum dated May 4, 2012, the Board voted to close the case with no action.

**CA120128** – As a result of the Attorney General's memorandum dated June 5, 2012, the Board voted to refer case back to the Secretary of State's Investigative Services to obtain additional information.

**CA120037**– As a result of the Attorney General's memorandum dated June 5, 2012, the Board voted to refer case back to the Secretary of State's Investigative Services to obtain additional information.

GEORGIA STATE CONSTRUCTION INDUSTRY LICENSING BOARD  
DIVISION OF CONDITIONED AIR CONTRACTORS  
Teleconference Meeting: July 26, 2012

**CA120085/CA120126** – The Board voted to refer to the Secretary of State’s Investigative Services.

**CA060167/CA070010/CA070018/CA070035** - The Board voted to close all cases due to licenses having been revoked by operation of the law.

**Paul Ted Houston, d/b/a Angel Air Construction, LLC, Riverdale** - The Board voted to accept Consent Order assessing a \$1,000.00 fine, 12 months’ probation, 24 hours Continuing Education in duct design correct all code violation listed in the finding of facts order and close.

**CA080032** - The Board voted to accept Consent Order upon receipt from respondent and accept the offer of \$15,000.00 from respondent for violation of Cease and Desist Order.

**Gui Suk Cho, Duluth** – The Board voted to accept Consent Order assessing a \$500.00 fine and close.

**CA100029** – As a result of the Cease and Desist Hearing, The Board voted to issue Cease and Desist Order.

**Kelvin Griffin, Americus** - The Board voted to accept the Consent Order for violation of Cease & Desist order assessing a \$2,000.00 fine and close.

**Ben Wood d/b/a B &W HVAC Services, Cumming** - The Board voted to accept the Cease & Desist Order and close case.

**CA110112** - The Board made a recommendation to continue the case for 60 days to allow the respondent to sign Cease & Desist Order in lieu of a hearing.

**CA100039** - The Board made a recommendation to continue the case for 60 days to allow the respondent to sign Cease & Desist Order in lieu of a hearing.

**CA110011** – As a result of Cease and Desist Hearing, the Board voted to issue Cease and Desist Order.

**CA110122** – As a result of Cease and Desist Hearing, the Board voted to issue Cease and Desist Order.

**Kyle Vonseggern, Winder** – The Board voted to accept the Cease and Desist Order and close.

**CA120005** – The Board voted to close with no action.

**William Robinson, Greenville** – The Board voted to accept the Cease and Desist Order and close.

GEORGIA STATE CONSTRUCTION INDUSTRY LICENSING BOARD  
DIVISION OF CONDITIONED AIR CONTRACTORS  
Teleconference Meeting: July 26, 2012

**William Van Stansel, Atlanta** - As a result of the Cease and Desist Hearing, the Board voted to accept order dismissing the case without prejudice and close.

**Walter Rucker, Athens** – In lieu of Cease and Desist Hearing, the Board voted to accept the Voluntary Cease & Desist Order and close the case.

**Marshaun Tatum, Stone Mountain** - As a result of the Cease and Desist Hearing, the Board voted to accept order dismissing the case without prejudice and close.

**James Mendick, Woodstock** – In lieu of Cease and Desist Hearing, the Board voted to accept the Voluntary Cease & Desist Order and close the case.

**Phil Montgomery, Decatur** – The Board voted to accept Consent Order assessing a \$7,500.00 fine, restitution to two homeowners, 8 hours of Continuing Education in duct design and 12 months probation and close.

**Michael Joseph Mallard, Statesboro** – The Board voted to accept Consent Order for criminal Conviction placing the license on probation for 60 months, submit biennial G.C.I.C. reports and quarterly reports from probation officer and close.

**CA100001** - The Board voted to close case due to license having been revoked by operation of the law as of May 31, 2012.

**CA090061** - The Board voted to close case due to license having been revoked by operation of the law as of May 31, 2012.

**Jimmy Carlos Terrell, Atlanta** – The Board voted to accept Consent Order for violation of Cease and Desist Order assessing a \$6,000.00 fine and close.

**Other Business:**

The Board reviewed a request from Certified Code Consultants to provide Continuing Education. The Board made a recommendation to approve the request.

There being no further business, at 9:57 a.m., Ms. Allen moved to adjourn. Mr. Davis seconded. The motion carried unanimously. The next Conditioned Air Board Meeting will be on November 21, 2012 at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

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Board Chairperson

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Executive Director