

STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS

Southern Services
William M Jetton
P.O. Box 1473
Hartselle, AL 35640

Complaint File Numbers #CC-2022-084

ORDER

This cause comes before the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (the "Board") pursuant to the Settlement Agreement entered for the above reference case. For good cause shown, it is hereby ORDERED:

THAT, the attached Settlement Agreement, entered into by the parties, is hereby adopted in its entirety, as if fully set out herein;

THAT, this action has been taken and this Order issued by the Board August 9, 2023, and,

THAT, a copy of this Order shall be served upon Respondent by first class mail, in the United States Postal Service.

Board members present at the August 9, 2023, Board Meeting: Susan Bolt, Eddie Harper, Donald Myers, Joel Owen, Barrett Richard, Bret Warren and Wilbur Webb. Dr. Heshmat Aglan, and Misty Forbus. Brett Hall and AJ Davis present via Zoom and abstained from voting:

DONE, this the 15th day of August 2023.



Jeffrey Becraft
Executive Director

BEFORE THE STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS

CK
4343

IN THE MATTER OF
Southern Services
William M Jetton
P.O. Box 1473
Hartselle, AL 35640

Certification Number: 01344

Complaint File Number CC-2022-084

SETTLEMENT AGREEMENT

William M Jetton (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (hereinafter referred to as "the Board") hereby agrees to the following:

STIPULATED FACTS

Respondent installed and/or serviced a heating and air conditioning system at 4691 Winchester Road New Market, AL 35761. A Board inspection of the site revealed the following violations:

1. The package heat pump does not have the required disconnect, in violation of the 2018 International Residential Code section E4101.5
2. The 60-amp breaker that serves the electric heater kit is oversized, in violation of the manufacturer's installation instructions and the 2018 International Residential Code section M1401.1
3. The liquid tight conduit does not have the required fitting where it enters the package unit, in violation of the 2017 NFPA 70 article 300.15 paragraph C
4. The condensate drain trap does not have the required depth, in violation of the manufacturer's installation instructions and the 2018 International Residential Code section M1401.1.
5. The supply trunk line is not sealed to the package unit with an approved UL listed and labeled tape or mastic, in violation of the 2018 International Residential Code section M1601.4.1

6. The return trunk line is not sealed to the package unit with an approved UL listed and labeled tape or mastic, in violation of the 2018 International Residential Code section M1601.4.1
7. The heater kit installed is not labeled on the package unit nameplate, in violation of the manufacturer's installation instructions and the 2018 International Residential Code section M1401.1.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that the above listed findings by the Board are in violation of the Board's Minimum Standards, and thus grounds for discipline by the Board under *Code of Alabama* § 34-31-18 *et seq.* and the jurisdiction of the Board.
2. Respondent acknowledges he is subject to the provisions of the *Code of Alabama*, § 34-31-18, *et seq.* and the jurisdiction of the Board.

STIPULATED DISPOSITION

1. Respondent shall not in the future violate the provisions of the *Code of Alabama* § 34-31 (1975), or the Rules promulgated thereunder.
2. Respondent has completed a mandatory class provided by the Board pertaining to the 2015 International Fuel Gas Code and Mechanical Code, and 2015 International Residential Code on May 22, 2023.
3. Respondent agrees to remit a maximum administrative fine of \$500.00 within thirty (30) days of completion of the class for the above-described conduct.
4. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its civil remedies available under Alabama Law against the Respondent.
5. Respondent understands that this Settlement Agreement may be presented to an attorney of Respondent's choice for review and counsel prior to signing the same.

6. Respondent acknowledges and understands that this Settlement Agreement, once final, is public information, and may be published in the Board's next newsletter or posted on the Board's website.

7. Respondent knowingly and voluntarily enters into this settlement agreement and expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the findings of fact, conclusions of law and imposition of discipline herein.


8. This Settlement Agreement shall become effective upon the execution by the parties previously mentioned and, upon ratification by the Board; it shall be made a part of the official minutes of the Board's next regularly scheduled meeting.

Signed this 23 day of May, 2023.



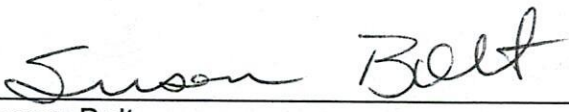
William M Jetton, Respondent

APPROVED:



Jeffrey M. Becraft
Executive Director
State of Alabama
Board of Heating, Air Conditioning and Refrigeration
Contractors
(334) 242-5550

Date 8/9/2023



Susan Bolt
Chairman
State of Alabama Board of Heating, Air Conditioning and
Refrigeration Contractors

Date 8/9/23

STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS

Allen Wayne Reeves
AR Heating & Air Conditioning
200 County Road 630
Rogersville, AL 35652

Complaint File Numbers #CC-2022-085

ORDER

This cause comes before the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (the "Board") pursuant to the Settlement Agreement entered for the above reference case. For good cause shown, it is hereby ORDERED:


THAT, the attached Settlement Agreement, entered into by the parties, is hereby adopted in its entirety, as if fully set out herein;

THAT, this action has been taken and this Order issued by the Board August 9, 2023, and,

THAT, a copy of this Order shall be served upon Respondent by first class mail, in the United States Postal Service.

Board members present at the August 9, 2023, Board Meeting: Susan Bolt, Eddie Harper, Donald Myers, Joel Owen, Barrett Richard, Bret Warren and Wilbur Webb. Dr. Heshmat Aglan, and Misty Forbus. Brett Hall and AJ Davis present via Zoom and abstained from voting:

DONE, this the 15th day of August 2023.



Jeffrey Becraft
Executive Director

BEFORE THE STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS

CK
1521

IN THE MATTER OF
AR Heating & Air Conditioning
Allen Wayne Reeves
200 County Road 630
Rogersville, AL 35652

Certification Number: 14087

Complaint File Number CC-2022-085

SETTLEMENT AGREEMENT

Allen Wayne Reeves (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (hereinafter referred to as "the Board") hereby agrees to the following:

STIPULATED FACTS

Respondent installed and/or serviced a heating and air conditioning system at 1303 Tennessee St. Tuscumbia, AL 35000. A Board inspection of the site revealed the following violations:

1. The furnace exhaust vent does not have the 1" clearance from combustibile materials where it exits the roof, in violation of manufacturer's installation instructions page 7 and the 2018 International Residential Code section G2426.5.
2. The furnace does not have the required disconnect, in violation of the 2018 International Residential Code section E4101.5.
3. The furnace is not provided with the required passageway, in violation of the 2018 International Residential Code section M1305.1.3.
4. The furnace is not provided with the required depth in the work platform, in violation of the 2018 International Residential Code section M1305.1.3.
5. The flexible gas connector is concealed behind the furnace housing, in violation of the 2018 International Residential Code section G2422.1.2.3.

6. The flexible gas connector is not protected from physical damage where it enters the furnace, in violation of the 2018 International Residential Code G2422.1.1.
7. The furnace is not provided with the required luminaire device, in violation of the 2018 International Residential Code section M1305.1.3.1.
8. The required electrical outlet is not installed at the furnace, in violation of the 2018 International Residential Code section E3901.12
9. The supply trunk is not sealed to the furnace with an approved listed and labeled tape or mastic, in violation of the 2018 International Residential Code section M1601.4.1
10. The return duct is not sealed to the furnace with approved listed and labeled tape or mastic, in violation of the 2018 International Residential Code section M1601.4.1
11. The coil is not sealed to the furnace with an approved listed and labeled tape or mastic, in violation of the 2018 International Residential Code section M1601.4.1.
12. The required electrical outlet is not installed at the condensing unit, in violation of the 2018 International Residential Code section E3901.12

STIPULATED CONCLUSIONS OF LAW

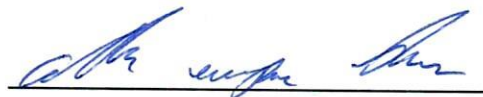
1. Respondent admits that the above listed findings by the Board are in violation of the Board's Minimum Standards, and thus grounds for discipline by the Board under *Code of Alabama* § 34-31-18 *et seq.* and the jurisdiction of the Board.
2. Respondent acknowledges he is subject to the provisions of the *Code of Alabama*, § 34-31-18, *et seq.* and the jurisdiction of the Board.

STIPULATED DISPOSITION

1. Respondent shall not in the future violate the provisions of the *Code of Alabama* § 34-31 (1975), or the Rules promulgated thereunder.
2. Respondent has completed a mandatory class provided by the Board pertaining to the 2015 International Fuel Gas Code and Mechanical Code, and 2015 International Residential Code May 23, 2023.


3. Respondent agrees to remit a maximum administrative fine of \$1500.00 within thirty (30) days of completion of the class for the above-described conduct.
4. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its civil remedies available under Alabama Law against the Respondent.
5. Respondent understands that this Settlement Agreement may be presented to an attorney of Respondent's choice for review and counsel prior to signing the same.
6. Respondent acknowledges and understands that this Settlement Agreement, once final, is public information, and may be published in the Board's next newsletter or posted on the Board's website.
7. Respondent knowingly and voluntarily enters into this settlement agreement and expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the findings of fact, conclusions of law and imposition of discipline herein.
8. This Settlement Agreement shall become effective upon the execution by the parties previously mentioned and, upon ratification by the Board; it shall be made a part of the official minutes of the Board's next regularly scheduled meeting.

Signed this 5 day of 23, 2023.



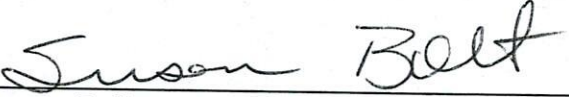
Allen Wayne Reeves, Respondent

APPROVED:



Jeffrey M. Becraft
Executive Director
State of Alabama
Board of Heating, Air Conditioning and Refrigeration
Contractors
(334) 242-5550

Date 8/9/2023



Susan Bolt
Chairman
State of Alabama Board of Heating, Air Conditioning and
Refrigeration Contractors

Date 8/9/23

STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS

Phillip E. Smitherman
Banks W. Quarles Plumbing, Heating, Cooling, Inc
5925 Johns Road
Bessemer, AL 35023

Complaint File Numbers #CC-2022-104

ORDER

This cause comes before the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (the "Board") pursuant to the Settlement Agreement entered for the above reference case. For good cause shown, it is hereby ORDERED:

THAT, the attached Settlement Agreement, entered into by the parties, is hereby adopted in its entirety, as if fully set out herein;

THAT, this action has been taken and this Order issued by the Board August 9, 2023, and,

THAT, a copy of this Order shall be served upon Respondent by first class mail, in the United States Postal Service.

Board members present at the August 9, 2023, Board Meeting: Susan Bolt, Eddie Harper, Donald Myers, Joel Owen, Barrett Richard, Bret Warren and Wilbur Webb. Dr. Heshmat Aglan, and Misty Forbus. Brett Hall and AJ Davis present via Zoom and abstained from voting:

DONE, this the 15th day of August 2023.



Jeffrey Becraft
Executive Director

BEFORE THE STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS

IN THE MATTER OF
Phillip E. Smitherman
AUX Mechanical
5925 Johns Road
Bessemer, AL 35023

Certification Number: 91128

Complaint File Number CC-2022-104

SETTLEMENT AGREEMENT

Phillip E. Smitherman (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (hereinafter referred to as "the Board") hereby agrees to the following:

STIPULATED FACTS

Respondent installed and/or serviced a heating and air conditioning system at 1429 19th. St. SW Birmingham, AL 35211. A Board inspection of the site revealed the following violations:

1. The type B gas vent that serves the furnace does not meet the height and lateral length requirements for the BTU rating of the furnace, in violation of the 2015 International Residential Code G2428.2. and Table G2428.2(1).
2. The type B gas vent is exposed to the outdoors below the roofline, The enclosure is not sealed and is not the required R-8 insulation value in violation of the 2015 International Residential Code G2428.2.9.
3. The Type B Gas vent does not maintain the required one-inch clearance to combustibles, in violation of the 2015 International Residential Code G2427.6.

Pd card

4. The 60-amp breaker is oversized for the condenser amperage, in violation of the 2015 International Residential Code M1401.1.
5. The high voltage cable serving the furnace is not protected from accidental contact of 50 volts or more, in violation of the 2015 International Residential Code E3404.9.
6. The disconnect switch is not protected from accidental contact of 50 volts or more, in violation of the 2015 International Residential Code E3404.9.
7. The copper gas line is not supported, in violation of the 2015 International Residential Code G2418.2.
8. The provided passageway is longer than the required 20 feet, in violation of the 2015 International Residential Code M1305.1.4.
9. The furnace is not provided with an unobstructed passageway, in violation of the 2015 International Residential Code M1305.1.4.
10. The furnace is not provided with the minimum 30-inch-wide level service space, in violation of the 2015 International Residential Code M1305.1.4.
11. The 20x30 return air filter and grille is undersized for the 4-ton unit, in violation of the 2015 International Residential Code M1601.1.
12. The refrigerant line set is unsupported and in contact with the ground, in violation of the 2015 International Residential Code M1401.1.
13. The refrigerant tubing insulation is incomplete in violation of the 2015 International Residential Code M1411.6.
14. The refrigerant tubing insulation is not the required R-4 value in violation of the 2015 International Residential Code M1411.6.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that the above listed findings by the Board are in violation of the Board's Minimum Standards, and thus grounds for discipline by the Board under *Code of Alabama* § 34-31-18 *et seq.* and the jurisdiction of the Board.
2. Respondent acknowledges he is subject to the provisions of the *Code of Alabama*, § 34-31-18, *et seq.* and the jurisdiction of the Board.

STIPULATED DISPOSITION

1. Respondent shall not in the future violate the provisions of the *Code of Alabama* § 34-31 (1975), or the Rules promulgated thereunder.
2. Respondent has completed a mandatory class provided by the Board pertaining to the 2015 International Fuel Gas Code and Mechanical Code, and 2015 International Residential Code on May 23, 2023.
3. Respondent agrees to remit a maximum administrative fine of \$1050.00 within thirty (30) days of completion of the class for the above-described conduct.
4. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its civil remedies available under Alabama Law against the Respondent.
5. Respondent understands that this Settlement Agreement may be presented to an attorney of Respondent's choice for review and counsel prior to signing the same.
6. Respondent acknowledges and understands that this Settlement Agreement, once final, is public information, and may be published in the Board's next newsletter or posted on the Board's website.

7. Respondent knowingly and voluntarily enters into this settlement agreement and expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the findings of fact, conclusions of law and imposition of discipline herein.


8. This Settlement Agreement shall become effective upon the execution by the parties previously mentioned and, upon ratification by the Board; it shall be made a part of the official minutes of the Board's next regularly scheduled meeting.

Signed this _____ day of _____, 2023.

A handwritten signature in blue ink, appearing to read "Phillip E. Smitherman", written over a horizontal line.


Phillip E. Smitherman, Respondent

APPROVED:



Jeffrey M. Becraft
Executive Director
State of Alabama
Board of Heating, Air Conditioning and Refrigeration
Contractors
(334) 242-5550

Date 8/9/2023



Susan Bolt
Chairman
State of Alabama Board of Heating, Air Conditioning and
Refrigeration Contractors

Date 8/9/23

**STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS**

Troy Dale Shumate
Air Pro Heating and Cooling LLC
336 Travis Drive
Huntsville, AL 35750

Complaint File Numbers #CC-2022-051

ORDER

This cause comes before the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (the "Board") pursuant to the Settlement Agreement entered for the above reference case. For good cause shown, it is hereby ORDERED:

THAT, the attached Settlement Agreement, entered into by the parties, is hereby adopted in its entirety, as if fully set out herein;

THAT, this action has been taken and this Order issued by the Board August 9, 2023, and,

THAT, a copy of this Order shall be served upon Respondent by first class mail, in the United States Postal Service.

Board members present at the August 9, 2023, Board Meeting: Susan Bolt, Eddie Harper, Donald Myers, Joel Owen, Barrett Richard, Bret Warren and Wilbur Webb. Dr. Heshmat Aglan, and Misty Forbus. Brett Hall and AJ Davis present via Zoom and abstained from voting:

DONE, this the 15th day of August 2023.



Jeffrey Becraft
Executive Director

BEFORE THE STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS

IN THE MATTER OF
Air Pro Heating and Cooling LLC
Troy Dale Shumate
336 Travis Drive
Huntsville, AL 35750

Certification Number: 12015

Complaint File Number CC-2022-051

SETTLEMENT AGREEMENT

Troy Dale Shumate (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (hereinafter referred to as "the Board") hereby agrees to the following:

STIPULATED FACTS

Respondent installed and/or serviced a heating and air conditioning system at 177 Edenshire Drive Huntsville, AL 35811. A Board inspection of the site revealed the following violations:

Downstairs system

1. The gas vent piping coupling is not installed, in violation of the manufacturer's installation instructions and the 2015 International Residential Code section M1401.1
2. The supply duct run boots are not sealed to the floor, in violation of the 2015 International Residential Code table N1102.4.1.1
3. At least five flexible supply duct runs do not have the proper radius where it leaves the supply trunk line, in violation of the 2015 International Residential Code section M1601.1.1 Section 2
4. At least 3 supply runs are not supported to prevent sag, in violation of the 2015 International Residential Code section M1601.4.4 The panned return is undersized, in violation of the 2015 International Residential Code section M1601.1
5. The panned return plenum is not sealed, in violation of the 2015 International Residential Code section M1601.4.1 The 16-inch flexible return duct appears to be undersized for 4-ton

system, in violation of the 2015 International Residential Code section M1601.1 The flexible return duct is not supported to prevent sag, in violation of the 2015 International Residential Code section M1601.4.4 The water level monitoring device is not glue into the drain plug on the evaporator coil, in violation of the 2015 International Residential Code section P2906.9 The 24x30 filter back return grill appears to be undersized, in violation of the 2015 International Residential Code section M1601.1

6. The refrigerant piping insulation does not meet the minimum of the R-4, in violation of the 2015 International Residential Code section M1411.6
7. No locking refrigerant access port caps installed, in violation of the 2015 International Residential Code section M1411.8

Upstairs system

8. The condensate drain does not have the required depth in the trap, in violation of the manufacturer's installation instructions and the 2015 International Residential Code section M1401.1
9. The condensate drain line is not configured to allow maintenance of the drain without cutting, in violation of the M1411.3.3
10. The supply duct run boots are not sealed to the ceiling, in violation of the 2015 International Residential Code table N1102.4.1.1
11. The heater kit electrical information is not attached to the air handler, in violation of the manufacturer's installation instructions and the 2015 International Residential Code section M1401.1 No locking refrigerant access port caps installed, in violation of the 2015 International Residential Code section M1411.8

Garage bonus room system

12. The condensate drain does not have the required depth in the trap, in violation of the manufacturer's installation instructions and the 2015 International Residential Code section M1401.1 The condensate drain line is not configured to allow maintenance of the drain without cutting, in violation of the M1411.3.3 The condensate drain line does not have the required slope, in violation of the 2015 International Residential Code section M1411.3.1
13. The board is making a request for a copy of the duct air tightness test as required by the 2015 International Residential Code N1103.3.3.
14. The board has made a formal request for a copy of the heat gain, heat loss, duct sizing, drawings or other important information such as the Manufacturer's Engineering Data used in regard to the above referenced system as set forth in the Board Rules and Regulations, Section 440-X-5-.03 and the 2015 International Residential Code M1401.3.

1. Respondent admits that the above listed findings by the Board are in violation of the Board's Minimum Standards, and thus grounds for discipline by the Board under *Code of Alabama* § 34-31-18 *et seq.* and the jurisdiction of the Board.
2. Respondent acknowledges he is subject to the provisions of the *Code of Alabama*, § 34-31-18, *et seq.* and the jurisdiction of the Board.

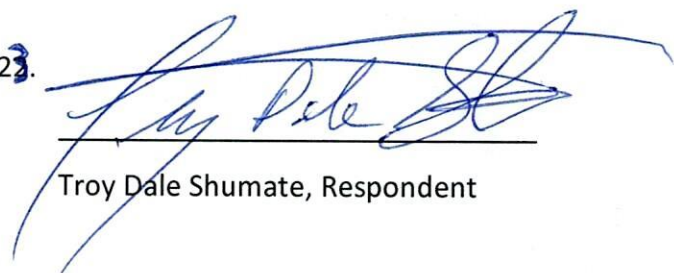
STIPULATED DISPOSITION

1. Respondent shall not in the future violate the provisions of the *Code of Alabama* § 34-31 (1975), or the Rules promulgated thereunder.
2. Respondent has completed a mandatory class provided by the Board pertaining to the 2015 International Fuel Gas Code and Mechanical Code, and 2015 International Residential Code on May 23, 2023.
3. Respondent agrees to remit a maximum administrative fine of \$750.00 within thirty (30) days of completion of the class for the above-described conduct.
4. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its civil remedies available under Alabama Law against the Respondent.
5. Respondent understands that this Settlement Agreement may be presented to an attorney of Respondent's choice for review and counsel prior to signing the same.
6. Respondent acknowledges and understands that this Settlement Agreement, once final, is public information, and may be published in the Board's next newsletter or posted on the Board's website.
7. Respondent knowingly and voluntarily enters into this settlement agreement and expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to

otherwise challenge or contest the validity of the Settlement Agreement, the findings of fact, conclusions of law and imposition of discipline herein.

8. This Settlement Agreement shall become effective upon the execution by the parties previously mentioned and, upon ratification by the Board; it shall be made a part of the official minutes of the Board's next regularly scheduled meeting.

Signed this 23 day of May, 2023.




Troy Dale Shumate, Respondent

RATIFICATION

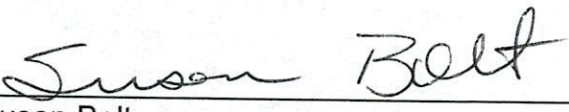
This Settlement Agreement has been recorded in the official minutes; shall become effective; and has been ratified by the Board on this ____ day of _____ 20____.

APPROVED:



Jeffrey M. Becraft
Executive Director
State of Alabama
Board of Heating, Air Conditioning and Refrigeration
Contractors
(334) 242-5550

Date 8/9/2023



Susan Bolt
Chairman
State of Alabama Board of Heating, Air Conditioning and
Refrigeration Contractors

Date 8/9/23

STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS

Shane Proctor Heating and Cooling
Ronald S Proctor
5035 Wilson Dam Rd.
Tuscumbia, AL 35674

Complaint File Numbers #CC-2021-081

ORDER

This cause comes before the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (the "Board") pursuant to the Settlement Agreement entered for the above reference case. For good cause shown, it is hereby ORDERED:

THAT, the attached Settlement Agreement, entered into by the parties, is hereby adopted in its entirety, as if fully set out herein;

THAT, this action has been taken and this Order issued by the Board August 9, 2023, and,

THAT, a copy of this Order shall be served upon Respondent by first class mail, in the United States Postal Service.

Board members present at the August 9, 2023, Board Meeting: Susan Bolt, Eddie Harper, Donald Myers, Joel Owen, Barrett Richard, Bret Warren and Wilbur Webb. Dr. Heshmat Aglan, and Misty Forbus. Brett Hall and AJ Davis present via Zoom and abstained from voting:

DONE, this the 15th day of August 2023.



Jeffrey Becraft
Executive Director

BEFORE THE STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS

IN THE MATTER OF
Shane Proctor Heating and Cooling
Ronald S Proctor
5035 Wilson Dam Rd.
Tuscumbia, AL 35674

Certification Number: 11050

Complaint File Number CC-2021-081

SETTLEMENT AGREEMENT

Shane Proctor (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (hereinafter referred to as "the Board") hereby agrees to the following:

STIPULATED FACTS

Respondent installed and/or serviced a heating and air conditioning system at 30 Brighton Court Florence Alabama 35634. A Board inspection of the site revealed the following violations:

Upstairs Split System

1. The supply voltage wire for the condensing unit has a splice that is not enclosed in a junction box, in violation of the 2015 International Residential Code section E3905.1
2. The 50-amp breaker installed for the condensing unit is oversized, in violation of the manufacturer's installation instructions and the 2015 International Residential Code section M1401.1
3. The work platform for the air handler does not meet the required dimensions, in violation of the 2015 International Residential Code section M1305.1.3

4. The 60-amp breaker installed for the air handler is oversized, in violation of the manufacturer's installation instructions and 2015 International Residential Code section M1401.1
5. The 8-AWG supply voltage wire for the air handler does not meet the minimum circuit ampacity, in violation of the manufacturer's installation instructions 2015 International Residential Code section M1401.1
6. The condensing unit does not have the required clearance of 24 inches between units, in violation of the manufacturer's installation instructions 2015 International Residential Code section M1401.1
7. The condensing unit is not level per manufacturer's specifications, in violation of the manufacturer's installation instructions and the 2015 International Residential Code section M1401.1
8. The condensate drain trap does not have the manufacturer's required depth, in violation of the manufacturer's installation instructions and the 2015 International Residential Code section M1401.1
9. The refrigeration piping insulation does not meet the required value of R-4, in violation of the 2015 International Residential Code section M1411.6
10. The refrigeration piping insulation is incomplete, in violation of the 2015 International Residential Code section M1411.6
11. No locking refrigeration access caps are installed on the condensing unit, in violation of the 2015 International Residential Code section M1411.8
12. The supply duct is not sealed to the air handler with an approved listed and labeled tape or mastic, in violation of the 2015 International Residential Code section M1601.4.1

13. The supply air trunk lines insulation does not meet the requirement of R-8, in violation of the 2015 International Residential Code section N1103.3.1
14. The ceiling supply boots are not sealed to the ceiling, in violation of the 2015 International Residential Code table N1102.4.1.1
15. At least 3 of the flexible supply runs are ran with excessive length, in violation of the manufacturer's installation instructions and the 2015 International Residential Code section M1601.1.1 paragraph 2
16. The supply duct runs are not sealed to the collar using an approved listed and labeled tape or mastic, in violation of the 2015 International Residential Code section M1601.4.1
17. No duct pressure test performed on the system, in violation of the 2015 International Residential Code section N1103.3.3

3-ton Package Unit

18. The condensate drain does not have the required depth on the trap, in violation of the manufacturer's installation instructions and the 2015 International Residential Code section M1401.1
19. No sediment trap installed in the gas line for the package unit, in violation of the manufacturer's installation instructions and the 2015 International Residential Code section M1401.1
20. The panned floor return is not completely sealed, in violation of the 2015 International Residential Code section M1601.4.1
21. The panned floor return is not insulated, in violation of the 2015 International Residential Code section N1103.3.1

22. The 20x25 filter back return grille is undersized for a 3-ton system, in violation of the 2015 International Residential Code section M1601.1
23. The flexible return duct does not have the required separation from the ground, in violation of the 2015 International Residential Code section M1601.4.8
24. The 14" flexible return duct appears to be undersized for the 3-ton system, in violation of the 2015 International Residential Code section M1601.1
25. The flexible return duct is not supported properly to avoid sag, in violation of the 2015 International Residential Code section M1601.4.4
26. The flexible return duct is not sealed to the return box with an approved listed and labeled tape or mastic, in violation of the 2015 International Residential Code section M1601.4.1
27. The flexible return duct is not sealed to the package unit using an approved listed and labeled tape or mastic, in violation of the 2015 International Residential Code section M1601.4.1
28. The supply air trunk is not sealed to the package unit using an approved listed and labeled tape or mastic, in violation of the 2015 International Residential Code section M1601.4.1
29. The supply air trunk does not have the required separation from the ground, in violation of the 2015 International Residential Code section M1601.4.8
30. The supply air collars are installed over the insulation and not against the metal trunk line, in violation of the 2015 International Residential Code section M1601.3 section 4.2
31. The flexible supply runs are not sealed to the trunk line with an approved listed and labeled tape or mastic, in violation of the 2015 International Residential Code section M1601.4.1

32. The flexible supply runs are not supported properly to prevent sag, in violation of the 2015 International Residential Code section M1601.4.4
33. At least 1 flexible supply run does not have the proper radius at the trunk line, in violation of the 2015 International Residential Code section M1601.1.1 paragraph 2
34. The flexible supply runs are not sealed to the floor boots using an approved listed and labeled tape or mastic, in violation of the 2015 International Residential Code section M1601.4.1
35. The supply floor boots are not sealed to the floor, in violation of the 2015 International Residential Code table N1102.4.1.1
36. The supply floor boots are not completely insulated, in violation of the 2015 International Residential Code section M1103.3.1

5-ton Package Unit

37. The 70-amp breaker installed for the package unit is oversized, in violation of the manufacturer's installation instructions and the 2015 International Residential Code section M1401.1
38. No sediment trap installed on the gas line, in violation of the manufacturer's installation instructions and the 2015 International Residential Code section M1401.1
39. The condensate drain does not have the required depth on the trap, in violation of the manufacturer's installation instructions and the 2015 International Residential Code section M1401.1
40. The return duct does not have the required separation from the ground, in violation of the 2015 International Residential Code section M1601.4.8

41. The return duct is not sealed using a listed and labeled tape or mastic to the panned floor return, in violation of the 2015 International Residential Code section M1601.4.1
42. The panned floor return is not insulated in violation of the 2015 International Residential Code section N1103.3.1
43. The 30x30 filter back return grill is undersized for the 5-ton system, in violation of the 2015 International Residential Code section M1601.1
44. At least 3 supply duct runs are not supported properly to prevent sag, in violation of the 2015 International Residential Code section M1601.4.4
45. The supply duct boots are not sealed to the floor, in violation of the 2015 International Residential Code section N1102.4.1.1
46. There was no pressure test performed on the duct system, in violation of the 2015 International Residential Code section N1103.3.3
47. The board is making a formal request for a copy of the heat gain, heat loss, duct sizing, drawing or other important information used in regard to the above referenced systems as set forth in the Board Rules and Regulations, Section 440-X-5-.03 and the 2015 International Residential Code section M1401.3

STIPULATED CONCLUSIONS OF LAW

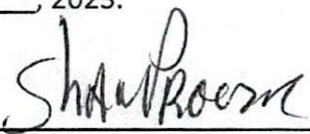
1. Respondent admits that the above listed findings by the Board are in violation of the Board's Minimum Standards, and thus grounds for discipline by the Board under *Code of Alabama* § 34-31-18 *et seq.* and the jurisdiction of the Board.
2. Respondent acknowledges he is subject to the provisions of the *Code of Alabama*, § 34-31-18, *et seq.* and the jurisdiction of the Board.

STIPULATED DISPOSITION

1. Respondent shall not in the future violate the provisions of the *Code of Alabama* § 34-31 (1975), or the Rules promulgated thereunder.
2. Respondent has completed a mandatory class provided by the Board pertaining to the 2015 International Fuel Gas Code and Mechanical Code, and 2015 International Residential Code on January 10, 2023.
3. Respondent will complete an additional eight (8) hours of education pertaining to the 2015 International Fuel Gas Code and Mechanical Code, and 2015 International Residential Code
4. Respondent agrees to remit a maximum administrative fine of \$5000.00 within thirty (30) days of completion of the class for the above-described conduct to be paid by October 1, 2023.
5. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its civil remedies available under Alabama Law against the Respondent.
6. Respondent understands that this Settlement Agreement may be presented to an attorney of Respondent's choice for review and counsel prior to signing the same.
7. Respondent acknowledges and understands that this Settlement Agreement, once final, is public information, and may be published in the Board's next newsletter or posted on the Board's website.
8. Respondent knowingly and voluntarily enters into this settlement agreement and expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the findings of fact, conclusions of law and imposition of discipline herein.

9. This Settlement Agreement shall become effective upon the execution by the parties previously mentioned and, upon ratification by the Board; it shall be made a part of the official minutes of the Board's next regularly scheduled meeting.

Signed this _____ day of _____, 2023.



Shane Proctor, Respondent

Hargrove, Jennifer

From: Becraft, Jeffrey
Sent: Friday, June 23, 2023 10:13 AM
To: Hargrove, Jennifer; Johnson, Crystal; Claybrook, Nelda; Brendle1, Kelly
Subject: Fwd: Fee / Fine Payment

Jeffrey M. Becraft
Executive Director


From: HACR@igovsolution.net <HACR@igovsolution.net>
Sent: Friday, June 23, 2023 9:47:48 AM
To: Becraft, Jeffrey <Jeffrey.Becraft@hacr.alabama.gov>
Subject: Fee / Fine Payment

Amount: \$5200.00
Date Paid: 6/23/2023
Paid By/For: Ronald S Proctor / License No# 2011050.

By making this online payment for the case referenced above, I knowingly and voluntarily enter into the agreement and expressly waive all further procedural steps, and expressly waive all rights to seek judicial review or to otherwise challenge or contest the validity of the agreement, the findings of fact, conclusions of law and imposition of discipline herein. This agreement shall become effective upon the execution by all parties and, upon ratification by the Board; it shall be made a part of the official minutes of the Board's next regularly scheduled meeting. I acknowledge and understand that this agreement, once final, is public information, and may be published in the Board's next newsletter or posted on the Board's website.

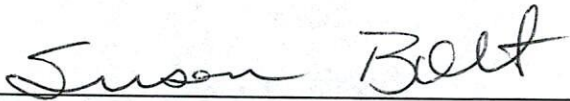
Electronic Signature: Ronald S Proctor **Date Paid:** 6/23/2023

APPROVED:



Jeffrey M. Becraft
Executive Director
State of Alabama
Board of Heating, Air Conditioning and Refrigeration
Contractors
(334) 242-5550

Date 8/9/2023



Susan Bolt
Chairman
State of Alabama Board of Heating, Air Conditioning and
Refrigeration Contractors

Date 8/9/23

**STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS**

WADE T MAXWELL
1375 OAKLEY INDUSTRIAL BLVD
FAIRBURN, GA 30213

Complaint File Numbers #CC-2023-011

ORDER

This cause comes before the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (the "Board") pursuant to the Settlement Agreement entered for the above reference case. For good cause shown, it is hereby ORDERED:

THAT, the attached Settlement Agreement, entered into by the parties, is hereby adopted in its entirety, as if fully set out herein;

THAT, this action has been taken and this Order issued by the Board August 9, 2023, and,

THAT, a copy of this Order shall be served upon Respondent by first class mail, in the United States Postal Service.

Board members present at the August 9, 2023, Board Meeting: Susan Bolt, Eddie Harper, Donald Myers, Joel Owen, Barrett Richard, Bret Warren and Wilbur Webb. Dr. Heshmat Aglan, and Misty Forbus. Brett Hall and AJ Davis present via Zoom and abstained from voting:

DONE, this the 15th day of August 2023.



Jeffrey Becraft
Executive Director

BEFORE THE STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS

IN THE MATTER OF

WADE T MAXWELL
1375 OAKLEY INDUSTRIAL BLVD
FAIRBURN, GA 30213

Certification Number: 22123

Board Complaint File No. BC-2023-011



SETTLEMENT AGREEMENT

WADE T MAXWELL (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (hereinafter referred to as "the Board") hereby agrees to the following:

STIPULATED FACTS

On, February 16, 2023 a notice of violation was issued to the Respondent for not displaying contractor's certification numbers and/or the company name on a business advertisement.

Respondent violated *Code of Alabama* 1975, Section 34-31-24(2), which states, "Every certified contractor shall display in a prominent legible manner their certification number and company name on all documentation and forms of advertising and company name on all service and/or installation vehicles."

STIPULATED CONCLUSIONS OF LAW

Respondent acknowledges that she is subject to the provisions of the *Code of Alabama*, Section 34-31-24(2), and the jurisdiction of the Board.

STIPULATED DISPOSITION

1. Respondent shall not in the future violate the provisions of the *Code of Alabama* Section 34-31-24(2), or the Rules promulgated thereunder.
2. Respondent agrees to remit a \$500.00 administrative fine within thirty (30) days as penalty for his unlawful activities.


3. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its civil remedies available under Alabama Law against the Respondent.
4. Respondent understands that this Settlement Agreement may be presented to an attorney of Respondent's choice for review and counsel prior to signing the same.
5. Respondent acknowledges and understands that this Settlement Agreement, once final, is public information, and may be published in the Board's next newsletter or posted on the Board's website.
6. Respondent knowingly and voluntarily enters into this settlement agreement and expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the findings of fact, conclusions of law and imposition of discipline herein.
7. This Settlement Agreement shall become effective upon the execution by the parties previously mentioned and, upon ratification by the Board; it shall be made a part of the official minutes of the Board's next regularly scheduled meeting.

Signed this 28th day of June, 2023.



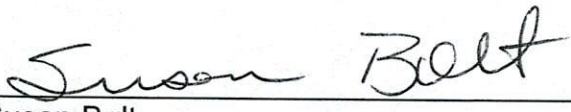
WADE T MAXWELL, Respondent

APPROVED:



Jeffrey M. Becraft
Executive Director
State of Alabama
Board of Heating, Air Conditioning and Refrigeration
Contractors
(334) 242-5550

Date 8/9/2023



Susan Bolt
Chairman
State of Alabama Board of Heating, Air Conditioning and
Refrigeration Contractors

Date 8/9/23

**STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS**

Justin T Leatherwood
Circle L Heating & Air
207 Greer Avenue
Atmore, AL 36502

Complaint File Numbers #CC-2022-052

ORDER

This cause comes before the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (the "Board") pursuant to the Settlement Agreement entered for the above reference case. For good cause shown, it is hereby ORDERED:

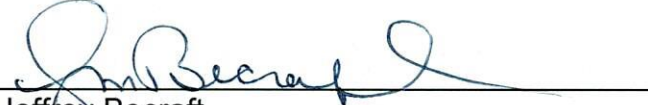
THAT, the attached Settlement Agreement, entered into by the parties, is hereby adopted in its entirety, as if fully set out herein;

THAT, this action has been taken and this Order issued by the Board August 9, 2023, and,

THAT, a copy of this Order shall be served upon Respondent by first class mail, in the United States Postal Service.

Board members present at the August 9, 2023, Board Meeting: Susan Bolt, Eddie Harper, Donald Myers, Joel Owen, Barrett Richard, Bret Warren and Wilbur Webb. Dr. Heshmat Aglan, and Misty Forbus. Brett Hall and AJ Davis present via Zoom and abstained from voting:

DONE, this the 15th day of August 2023.



Jeffrey Becraft
Executive Director

BEFORE THE STATE OF ALABAMA
BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS

IN THE MATTER OF
Justin T Leatherwood
Circle L Heating & Air
207 Greer Avenue
Atmore, AL 36502

Certification Number: 20172

Complaint File Number CC-2022-052

SETTLEMENT AGREEMENT

Justin T Leatherwood (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the State of Alabama Board of Heating, Air Conditioning and Refrigeration Contractors (hereinafter referred to as "the Board") hereby agrees to the following:

STIPULATED FACTS

Respondent installed and/or serviced a heating and air conditioning system at 214 Virginia Drive Atmore, AL 36502. A Board inspection of the site revealed the following violations:

1. The unfinished plywood panels that cover the outdoor return and supply air ducts do not appear to have adequate weather protection, in violation of the 2015 International Residential Code R701.2.
2. The attic flexible air duct collar connectors at the ceiling boxes are not sealed with a UL listed and labeled tape or mastic, in violation of the 2015 International Residential Code M1601.4.1.
3. The attic ceiling boxes where they contact the ceiling panels are not sealed, with supply air escaping into the attic, in violation of the 2015 International Residential Code Table N1102.4.1.1.
4. The attic flexible return air duct and supply air ducts are not installed as outlined in the manufacturer installation instructions, not supported and with excessive turn radius, excessive length, in violation of the 2015 International Residential Code M1601.1.1 Section 2.
5. The board has made a request for a copy of the Duct Air Tightness Test as required by the 2015 International Residential Code N1103.3.3.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that the above listed findings by the Board are in violation of the Board's Minimum Standards, and thus grounds for discipline by the Board under *Code of Alabama* § 34-31-18 *et seq.* and the jurisdiction of the Board.
2. Respondent acknowledges he is subject to the provisions of the *Code of Alabama*, § 34-31-18, *et seq.* and the jurisdiction of the Board.

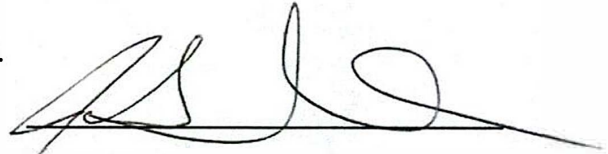
STIPULATED DISPOSITION

1. Respondent shall not in the future violate the provisions of the *Code of Alabama* § 34-31 (1975), or the Rules promulgated thereunder.
2. Respondent agrees to complete a mandatory class provided by the Board pertaining to the 2015 International Fuel Gas Code and Mechanical Code, and 2015 International Residential Code.
3. Respondent agrees to remit a maximum administrative fine of \$850.00 within thirty (30) days of completion of the class for the above-described conduct.
4. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its civil remedies available under Alabama Law against the Respondent.
5. Respondent understands that this Settlement Agreement may be presented to an attorney of Respondent's choice for review and counsel prior to signing the same.
6. Respondent acknowledges and understands that this Settlement Agreement, once final, is public information, and may be published in the Board's next newsletter or posted on the Board's website.
7. Respondent knowingly and voluntarily enters into this settlement agreement and expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to

otherwise challenge or contest the validity of the Settlement Agreement, the findings of fact, conclusions of law and imposition of discipline herein.


8. This Settlement Agreement shall become effective upon the execution by the parties previously mentioned and, upon ratification by the Board; it shall be made a part of the official minutes of the Board's next regularly scheduled meeting.

Signed this _____ day of _____, 2022.

A handwritten signature in black ink, appearing to read 'Justin T Leatherwood', written over a horizontal line.

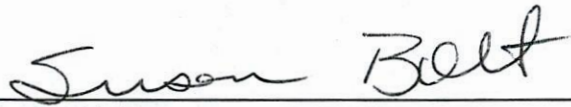
Justin T Leatherwood, Respondent

APPROVED:



Jeffrey M. Becraft
Executive Director
State of Alabama
Board of Heating, Air Conditioning and Refrigeration
Contractors
(334) 242-5550

Date 8/9/2023



Susan Bolt
Chairman
State of Alabama Board of Heating, Air Conditioning and
Refrigeration Contractors

Date 8/9/23