



Structural Pest Control Bulletin

Britt Cobb, Commissioner

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CLYDE MAN PLEADS GUILTY TO UNLICENSED STRUCTURAL PEST CONTROL WORK

An investigation by the N.C. Department of Agriculture and Consumer Services Structural Pest Control Division has led to the conviction of a Clyde man for performing termite treatments without a license.

Dennis Harbough pled guilty in May in Haywood County District Court to engaging in structural pest control activities without a license. An investigation found he treated at least 24 homes under construction for subterranean termites. Most of the homes were built by Ponderosa Homebuilders in Waynesville or Rocky Top Construction Inc. in Clyde.

"We take any violation of the state structural pest control law very seriously," said Structural Pest Control Division Director Carl Falco. "A home is usually a person's greatest investment and termites are one of the biggest threats to that investment. The North Carolina Building Code requires that pre-construction treatments be done according to certain defined standards. Unlicensed operators do not meet those standards."

Harbough was sentenced to 30 days in jail, but the sentence was suspended on the condition he pay a \$100 fine, serve 12 months of unsupervised probation, perform 24 hours of community service within 30 days, not engage in any more unlicensed structural pest control activities and notify all customers that their homes may not have been treated according to state standards.

Falco advises homeowners who hired Harbough to contact a licensed pest control operator or the Structural Pest Control Division to determine if their home was adequately treated. Anyone who purchased a new home from Ponderosa Homebuilders or Rocky Top Construction Inc. should contact the builder to determine who performed the termite treatment.

STATESVILLE MAN PLEADS GUILTY TO UNLICENSED PEST CONTROL WORK

Ross Allan Moore of Statesville pleaded guilty in June in Iredell County District Court to advertising as a structural pest control operator without having a license. Moore passed out business cards and offered to provide pest control services to an investigator in the N.C. Department of Agriculture and Consumer Services Structural Pest Control Division. "We take any violation of the state structural pest control law very seriously," said Structural Pest Control Division Director Carl

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Falco. "Unlicensed individuals lack the specialized training necessary to safely perform structural pest work to protect the health and homes of North Carolina residents."

Moore was sentenced to 45 days in prison that was suspended with two years of supervised probation, fined \$100 and was ordered to destroy his business cards and disconnect the phone lines connected to his business. Our Inspector's investigation was greatly aided by the cooperation of a local pest control company. If you know of or have any information regarding an unlicensed pest control operator in your area, please contact your local Inspector or Supervisor.

LICENSE / CERTIFICATION RENEWALS MAILED

All license and card renewal forms have been mailed. If you have not received your renewal forms by now something is wrong.

Every year the Division receives several renewals in return mail marked undeliverable or forwarding order expired. Licensees and certified applicators are required to notify the Division of address changes within 10 days.

In addition to address changes, some renewals apparently get lost in the mail.

If you have not received your renewal forms at this time, you should contact the Division immediately. Licensees who fail to renew and continue to work after the expiration date of their license are in violation of the Structural Pest Control Law and will be charged.

continued on page 3

Coming Events

JULY

July 7, 2004 9:30 AM

License/Certified Applicator Exam
 McKimmon Center
 Corner of Gorman St. & Western Blvd.
 Raleigh, N.C.
 (919) 733-6100

July 13, 2004 8:30 AM

Registered Technician School
 Mecklenburg County Extension Building
 700 N. Tryon St.
 Charlotte, N.C.
 (919) 733-6100

July 22, 2004 1:00 PM

Certified Applicator Exam
 New Hanover County Extension Building
 6206 Oleander Dr.
 Wilmington, N.C.
 (919) 733-6100

July 28, 2004 8:30 AM

Registered Technician School
 NCDA&CS Building Room 359
 2 West Edenton St.
 Raleigh, N.C.
 (919) 733-6100

AUGUST

August 3, 2004 9:30 AM

License/Certified Applicator Exam
 McKimmon Center
 Corner of Gorman St. & Western Blvd.
 Raleigh, N.C.
 (919) 733-6100

August 12, 2004 8:30 AM

Registered Technician School
 Agriculture Extension Building
 740 Glover St.-Jackson Park
 Hendersonville, N.C.
 (919) 733-6100

August 17, 2004 1:00 PM

Certified Applicator Exam
 Burke County Agricultural Center
 130 Ammons Dr.
 Morganton, N.C.
 (919) 733-6100

August 25, 2004 8:30 AM

Registered Technician School
 NCDA&CS Building Room 359
 2 West Edenton St.
 Raleigh, N.C.
 (919) 733-6100

SEPTEMBER

September 8, 2004 9:30 AM

License/Certified Applicator Exam
 McKimmon Center
 Corner of Gorman St. & Western Blvd.
 Raleigh, N.C.
 (919) 733-6100

September 14, 2004 8:30 AM

Registered Technician School
 Senator Bob Martin Agricultural Center
 2900 Highway 125 South
 Williamston, N.C.
 (919) 733-6100

September 14, 2004 1:00 PM

Certified Applicator Exam
 Guilford County Agricultural Center
 3309 Burlington Road
 Greensboro, NC
 (919) 733-6100

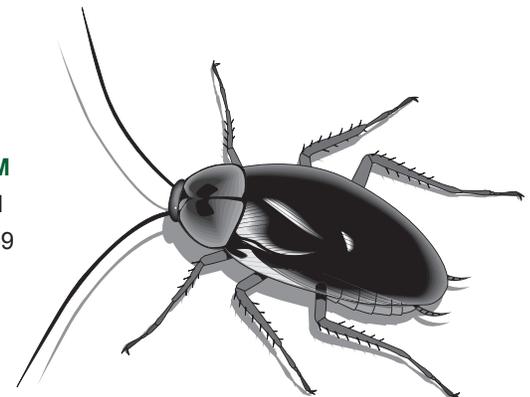
September 29, 2004 8:30 AM

Registered Technician School
 NCDA&CS Building Room 359
 2 West Edenton St.
 Raleigh, N.C.
 (919) 733-6100

| JULY | | | | | | |
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| AUGUST | | | | | | |
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| SEPTEMBER | | | | | | |
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March 24, 2004 Structural Pest Control Committee Meeting

The N.C. Structural Pest Control Committee agreed to four policy changes to rules governing termite pre-treatments during construction of commercial and residential buildings.

The changes stem from more than two years of discussions with the structural pest control industry and the need for more oversight based on regulatory problems and complaints received by the N.C. Department of Agriculture and Consumer Services' Structural Pest Control Division regarding pre-treatments. The changes include:

- a clarification to the definition of wood-destroying fungi;
- a new rule requiring pest control operators to place a sticker on a permanent location of a house under construction that would identify which company performed the initial pre-treatment;
- a new rule that structural pest control operators put a notice of treatment inside the permit box so the builder and inspector know which areas of the construction received treatment;
- and a minimum five-year re-treatment warranty for all preconstruction termite treatments.

[The changes went before the Rules Review Commission (RRC) in April. Staff of the RRC objected to the warranty requirement and as a result that rule was not approved by the RRC. Although the rules become effective on July 1, 2004, the Division will not begin enforcement until licensees have been provided with a copy of the changes.] For more information, contact the Structural Pest Control Division at (919) 733-6100.

Settlement Agreements Approved:

1. Roland K. Davidson, owner of Master Exterminators in Fayetteville, agreed to pay \$400 for not applying for an identification card for a technician working under his license within 75 days of employment with the company. NCDA&CS inspectors also found several violations in the company vehicle driven by the technician, including not having pesticide containers labeled, using improper containers and not having enough absorbent material on board to manage a spill.

2. Leon Black Jr., owner of Touch Stone Exterminator and Pest Control in Zebulon, agreed to pay \$800 for performing structural

pest control treatments during a six-month period in which his business was not covered by liability insurance, which is required by state law. Black and his employees performed more than 200 services during the six-month period.

3. Mr. Black also agreed to pay \$1,000 for not properly issuing a Wood Destroying Insect Report (WDIR) and failing to keep records or provide a contract in the treatment of a Wake County residence. A physical inspection also found the treatment of the structure did not meet minimum requirements. The committee agreed to suspend \$400 of Black's fine if he attends a WDIR accreditation course offered by the N.C. Structural Pest Control Association by the end of the year.

4. David M. Groves of Terminix Company of N.C. in Wilmington agreed to pay \$600 for improperly maintaining a bait system installed by a technician working under his license. At the same residence, NCDA&CS also found that Groves improperly performed a conventional pest control service, told the homeowner the bait system had been serviced when it had not, and failed to keep proper records of the treatment. The investigation also found that technicians working under his license did not have registered technician ID cards as required by state law.

5. Gerald V. Gibson, owner of Gibson Pest Control in Skyland, agreed to pay \$400 for continuing to perform structural pest control services during a 14-day period during which his license was expired. Gibson was unable to renew his license because he did not have enough continuing education credits to be considered for renewal. In the two-week period it took to renew his license, 82 jobs were performed, a violation of state law.

6. Devie J. Goforth, owner of Home Spectors in Charlotte, agreed to pay \$600 for continuing to perform structural pest control services during a 23-day period in which his liability insurance had lapsed. Employees performed 23 WDIRs during this time.

7. James A. Gilliam of Triad Pest Control in Winston-Salem agreed to pay \$400 for an inaccurate WDIR issued by a technician working under his license. The WDIR indicated the home had no visible evidence of infestation from wood-destroying insects. A physical inspection by NCDA&CS found an active infestation of termites and evidence of previous infestations of carpenter bees, powder post beetles, as well as excessive moisture that should have been noted on the report.

LICENSE / CERTIFICATION RENEWALS MAILED (continued from page 1)

If your license is assigned an inactive status, you must still renew each year and maintain your recertification status. Licensees holding an inactive license are not sent a license certificate. They will, however, receive a letter indicating that the license has been renewed. December 31st is the last date on which licenses and certified applicator cards can be renewed without reexamination. If you do not receive this letter after renewal of an inactive license, you should contact the Division well before this date to ensure that the renewal has been processed.

Animal Busters

The Structural Pest Control Division has received several inquiries concerning Animal Busters, a South Carolina company. If you have any information about the activities of this company please contact Rick Reid, Western Field Supervisor, or Ned Dillon, Compliance Manager, at (919) 733-6100. You may also e-mail them at Rick.Reid@ncmail.net or Ned.Dillon@ncmail.net

How To Avoid An Unexpected Visit from a State Inspector-Tips for Complaint Resolution

Most Licensees and State Inspectors can agree on one thing – trying to satisfy an irate consumer can be very difficult. However, most of the Division’s consumer complaint investigations can be avoided with timely action by a Pest Control Operator. The following tips can be very helpful in trying to avoid that unexpected visit from a State Inspector:

- **Timely and Professional Communication:** The most important and critical tip is to communicate with your customer in a timely manner when they contact your office. Every phone call should be treated with the same sense of urgency and professionalism. A majority of our Division’s complaint investigations result from poor communication and frustrated consumers who were not contacted/visited promptly. Rapid Response and timely resolution are part of the communication process. Also, avoid arguments and maintain a calm demeanor no matter how upset the consumer becomes.
- **Evaluate Problems Carefully:** Carefully evaluate the situation and be prepared to act accordingly. Do not be pressured into making irrational mistakes. Assess the problem and determine what needs to be done to correct it properly. Take into consideration what has been done in the past to prevent the current problem and what additional steps need to be taken to prevent future problems. Think outside the box but within the law. What other methods are permitted by the labels of products you use? Try an additional product or utilize a different technician. Think IPM – evaluate the entire situation and take everything into consideration.
- **Fulfill Contractual Agreements:** Make sure you are providing the customer with what you agreed to in your written agreement. If the Division gets involved we will be enforcing your contract with that consumer, so make sure you are fulfilling the terms of the contract. Also, try to determine if an employee was negligent or in error and if so accept responsibility by correcting the problem. Most consumers will appreciate a sincere effort to solve their problem and will likely want to continue to do business with you.

ONLINE CONTINUING CERTIFICATION UNITS (CCU’S)

Several online courses are approved for continuing certification credits. Credits are awarded in each category of structural pest control for each hour of online instruction earning one hour of credit. Training providers, contact person and course title information can be found on the Division’s web site or you may contact us directly. Visit our web site at www.ncagr.com/str-pest/ and click on the licensing/certification link.

It is important to remember that to receive credits from courses taken online, certain procedures must be followed. You must first check to see if a particular online course is approved for credit. Then contact the training agency to enroll in the course. That agency will monitor your progress through the course and provide you with an attendance verification form. The attendance verification form must be completely filled out with the appropriate licensee signature. The training agency must also require that the individual receiving the online training pass an examination upon completion of the course work. This examination is closed book and is included as part of the online training. The training provider will furnish the Division with the completed attendance verification form along with the examination results. Finally, a licensee or certified applicator may obtain no more than 50 percent of their CCU’s required during the five-year certification period through online courses. It is important that you have good communication with your training agency to ensure that required paperwork is received by the Division in a timely manner.

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