Animal Welfare Section
NC Department of Agriculture and Consumer Services
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Complaint investigation

Date of inspection: Jul 24, 2014

Complaint #: 223

License #: 10,386

license type: 41 - Boarding kennel

Name of business: Top Dog Kennel

Name of owner: Nicholas Frost

Street address: 12 Cavalier Lane

City: Swannanoa

NC

ZIP code: 28778

County: Buncombe

Phone Number: +1 (828) 686-3175

Description of Complaint

Top Dog Kennel's issues.

On Wednesday July 16, 2014, my wife called and scheduled Dulcey to be boarded alone, from Friday 7/18 through Monday 7/21.

On Friday, July 18 at approximately 3:30 PM I delivered Dulcey to Top Dog Kennel I spoke with a young man at the counter inside the front door of the kennel. This young man was familiar with Dulcey and inquired about our boxer mix Millie. I explained that Millie had died several months ago. I confirmed with the young man that we would pick up Dulcey on Monday. He asked if we wanted any extra services like a walk. As is our common practice I told him no, I did not want her walked.

Monday July 21, 2014 at 4:31 pm, while traveling back to Asheville, en route to pick up our dog, I received a call from Mr. Nick Frost. Mr. Frost told me that he had some very bad news about Dulcey. He explained that he had Dulcey in the office with him and at the same time he had a "Kerry Blue Terrier" in for grooming. He told me that he had to leave the office, to go outside to attend to something (he was not specific), he went on to tell me that the terrier had "broken out from his crate" attacked and killed Dulcey. My response was something like. "what?? That is … horrible" . Mr. Frost responded .. "yes it is" I told Mr. Frost that I would call him back shortly.

I took a few moments to consider what I was told and related the information to my wife and son.
At 4:36PM I called Mr. Frost back and asked him to again tell me what happened. Mr. Frost repeated the message he gave me at 4:31 PM. I asked Mr. Frost where my dog was now. He repeated that she had died. I asked him if he still had her body or if he had gotten her to a veterinarian. He responded that when he found her she was dead. I told Mr. Frost that I was coming to get my dog. I wanted to take her home. I asked him to wrap her up as I didn't want my wife to see her "all torn up". Before ending the call I reminded Mr. Frost that this is the second time that one of my pet's was attacked while under his care.

At 6:00PM My son and I arrived at Top Dog kennel. Before I left the car I put my cell phone into voice recording mode, and instructed my son to take a photo of any business license or permits that might be posted. As I exited the car the young man that I entrusted Dulcey to on Friday came in from the parking lot. He addressed me as I walked to the building and followed me into the building.
Once in the building I found Mr. Frost at the front counter. I asked Mr. Frost to explain to me again what happened to Dulcey. The young man began to respond to my question, but Mr. Frost interrupted him and told him that he would "explain to Mr. Burns what happened". Mr. Frost then directed the young man to leave the area. I question Mr. Frost about the dog that attacked Dulcey. I reminded him that he told me that it was a terrier? I said that sounds like a small dog. Mr. Frost told me that it was a "Kerry blue terrier which is a very large dog, a dog about hip high"
I asked him to tell me what happened and at that he motioned me into the grooming area adjacent to the front lobby and office. He showed me the crate or kennel that he claimed the terrier had broken out of. I noticed that there was no damage to the crate (kennel). Mr. Frost stuttered and offered that he "didn't know what happened, (he) didn't know if (he)
hadn't latched the door properly or…?

Signature of Management: Michael Boggs

Animal Welfare Section, NCDA&CS
complaint investigation, continued

Complaint #:	Date of inspection
223	Jul 24, 2014

Top Dog Kennel	Nicholas Frost	Swannanoa	NC

Results of Investigation

07/24/2014: Arrived at facility @ 11:45am owner is not present a staff member (Michael Boggs) was present. Mr. Boggs states owner is not in area, he provided a statement that he signed for the owner that was given to the owner of the canine that was killed (attached). After reviewing both canine records both canines were here for boarding, the canine killed (Dulcie) was not current on rabies vaccine expired 12/13/2013. The other canine (Layla) rabies expires 10/7/2014. Mr Boggs states he was not on the premises when the attack happened, he is the only employee. While at this facility I called the owner Mr. Frost regarding the attack he stated he left Dulcie in the office and left Layla in a cage in the grooming area next to the office. When he returned to the office (Dulcie) was dead and Layla was out of the cage. The approximate time of the incident was 2:30pm , I asked Mr. Frost if he notified the owner of the canine that attacked the other and he stated yes I also asked him if he told the owner of (Layla) that the canine killed as not current on rabies, he stated he did not know it wasn't current. This facility does not have a written contact or agreement that allows animals to come in contact with other animals. Mr. Boggs states they verbally ask the owner if they want their animals to play or are walked with other animals. I advised owner all animals must be secure when unsupervised, all animals must be current on rabies vaccines and facility must have a written contact or agreement that allows animals to come in contact with other animals. I also advised that all animal bites must be reported to the local animal control immediately.

Digital signature of inspector: Jay Blatche
Digitally signed by Jay Blatche
DN: cn=Jay Blatche, o=Animal Welfare, ou=Dept of Agriculture, email=jay.blatche@ncagr.gov, c=US
Date: 2014.07.24 13:09:21 -04'00'

☐ check here if additional pages of narrative are attached

Signature of Management: Michael Boggs