Steven W. Troxler
Commissioner

North Carolina Department of Agriculture and Consumer Services

Veterinary Division

David T. Marshall, DVM
State Veterinarian

November 22, 2010

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED –

7006 2760 0003 0472 2228

Wendi's Happy Tails
Ms. Wendy Gunter
1086 Turnersburg Highway
Statesville, NC 28625

NOTICE OF DENIAL OF APPLICATION FOR RENEWAL OF BOARDING KENNEL LICENSE

Dear Ms. Gunter:

Pursuant to the North Carolina General Statutes (N.C.G.S. §19A-30) this letter is notice of the Department's decision to deny your application for renewal of your boarding kennel license for the facility listed as addressee.

Within 30 days from the date of receipt, you must do one of the following:

1. Close your facility; or

2. File a written petition for a contested case hearing the Office of Administrative Hearings (OAH) appealing the denial of your license renewal application.

If you believe that your facility is in compliance with the Animal Welfare Act and the rules promulgated thereunder, you may contact the Animal Welfare Section and request reinspection. However, your request does not entitle you to operate a boarding kennel without a license and the Animal Welfare Section is not obligated to grant your request for inspection.

Additional information about your options is provided below:

APPEAL

If you file a contested case petition, it must be in writing and in the form prescribed by G.S. §150B-23. File the petition and one copy with:

Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699

Any questions about filing a petition may be directed to the Clerk of OAH by telephone – 919/431-3000. You must serve NCDA&CS by mailing a copy of the petition to:

Mr. David S. McLeod
North Carolina Department of Agriculture and Consumer Services
Registered Agent and General Counsel
P. O. Box 27647
Raleigh, NC 27611

Please note that the Office of Administrative Hearings now charges a filing fee of $20.00 for petitions filed against the NCDA&CS. Further, NCDA&CS reserves the right to assess a civil penalty in the future or take other enforcement action against you if it finds that you have not filed a petition and have continued to operate an unlicensed boarding kennel past the thirty days specified above.

Your attention to this matter is appreciated.

Sincerely,

Dr. Lee Hunter,
Director, Animal Welfare Section

/bhb

cc: Barry H. Bloch, Assistant Attorney General
Dr. David T. Marshall, State Veterinarian, NCDA&CS