



**Steven W. Troxler**  
Commissioner

North Carolina Department of Agriculture  
and Consumer Services  
*Veterinary Division*

**Christina L. Waggett**  
Assistant Commissioner  
for Consumer Protection

**Michael Martin, DVM**  
State Veterinarian

January 7, 2025

Ryan and Jessica Ward  
7501 Meridale Forest Drive  
Charlotte, NC 28269

**NOTICE of CIVIL PENALTY**

**Re: CIVIL PENALTY ASSESSMENT for VIOLATION of NC GENERAL STATUTES § 19A-28**

**AWS-CP-2025-1**

**Facility: Residence of Ryan and Jessica Ward**  
**License Number: Unlicensed**

Dear Mr. and Mrs. Ward:

Pursuant to NCGS § 19A-40, I am issuing this notice that you as owner and operator of an unlicensed boarding kennel (“the kennel”) are hereby assessed a civil penalty of \$1,000.00 as provided in the enclosed Notice of Violation.

With regard to the civil penalty, within 60 days from the date of this letter, you must do one of the following:

1. Pay the civil penalty assessment; or
2. File a written petition for a contested case hearing with the N.C. Office of Administrative Hearings to appeal the penalty assessment.

Pursuant to NCGS § 150B-22, either party to a dispute may initiate informal settlement negotiations at any time. To negotiate a settlement of this assessment, you may contact me by telephone at (919) 707-3280. Settlement offers do not extend the 60-day deadline for payment or filing of a contested case petition.

Additional information about your options is provided below:

## **PAYMENT**

To pay the penalty, please send your payment by check or money order made payable to the North Carolina Department of Agriculture and Consumer Services to:

North Carolina Department of Agriculture and Consumer Services  
Dr. Patricia Norris  
Director, Animal Welfare Section  
1030 Mail Service Center  
Raleigh, NC 27699-1030

## **APPEAL**

If you file a contested case petition, it must be in writing and in the form prescribed by NCGS § 150B-23. The petition must be filed with the N.C. Office of Administrative Hearings (“OAH”) within 60 days from the date of this document. Additionally, the petition must be accompanied by a filing fee of twenty dollars (\$20.00). Payment can be made by cash, money order, certified check or check drawn on an attorney’s trust account. Make checks payable to: Office of Administrative Hearings. File the petition and one copy with:

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

Any questions about filing a petition may be directed to the Clerk of OAH by telephone at 919-431-3000.

You must serve NCDA&CS by mailing a copy of the petition to:

Mr. Jonathan Lanier  
North Carolina Department of Agriculture and Consumer Services  
Registered Agent and General Counsel  
1001 Mail Service Center  
Raleigh, NC 27699-1001

Payment of the penalty will not foreclose further enforcement action against you for any new violation. If the violations which resulted in the assessment are of a continuing nature, NCDA&CS reserves the right to assess additional civil penalties in the future or take other enforcement action against you.

Your attention to this matter is appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patricia Norris DVM MS".

Patricia Norris, DVM, MS  
Director, Animal Welfare Section

Attachment: Notice of Violations, Assessment of Civil Penalty

cc: Michael Martin, DVM, State Veterinarian  
Jonathan Lanier, General Counsel, NCDA&CS  
Christina L. Waggett, Assistant Commissioner, NCDA&CS  
Samuel Gray, Assistant Attorney General

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

NORTH CAROLINA DEPARTMENT  
OF AGRICULTURE AND CONSUMER  
SERVICES, VETERINARY DIVISION  
ANIMAL WELFARE SECTION

IN THE MATTER of )  
RYAN and JESSICA WARD ) NOTICE of VIOLATION and  
ASSESSMENT of CIVIL PENALTY  
for VIOLATION of N.C. GENERAL  
STATUTE (“NCGS”) § 19A-28.  
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Acting pursuant to NCGS § 19A-40, Dr. Patricia Norris, Director, Animal Welfare Section (“AWS”), North Carolina Department of Agriculture and Consumer Services (“NCDA&CS”) makes the following:

**FINDINGS OF FACT**

1. At all times pertinent to this matter, Ryan and Jessica Ward provided boarding services at their residence (“the kennel”), and this kennel that was not licensed with AWS as a boarding kennel pursuant to NCGS § 19A-28.
2. On December 3, 2024, AWS received information that a dog named Beanz, while boarding at the kennel, escaped while being taken outside without a leash into an unfenced yard and then died. Based on this information, AWS opened an investigation. The investigation centered on possible violation(s) of the N.C. Animal Welfare Act (“AWA”) as these statutes and associated regulations are the extent of the jurisdiction of AWS.
3. The owner of Beanz revealed the following:
  - a. Ryan and Jessica Ward boarded dogs for this person on August 12 – 18, 2024; August 21 - 26, 2024; September 10 - 16, 2024; and October 15 - 21, 2024;
  - b. on November 19, 2024, Beanz (and her other dog named Skittles) was left with Mr. and Mrs. Ward for boarding;
  - c. on November 21, 2024, Beanz’s owner received a call from Ryan Ward stating that Beanz had escaped and was lost;
  - d. later during the evening of November 21, 2024, Beanz’s owner received a call from someone who had seen a social media post about Beanz. Beanz was found deceased in the road approximately 3 blocks from the Wards’ residence;
4. On December 4, 2024, AWS Veterinary Specialist Bradley conducted a site visit at the address listed above. Through on-site conversations and emails from Mr. and Mrs. Ward, AWS was informed of the following:
  - a. on December 4, 2024, Mr. Ward admitted that the black dog in the residence was there for boarding services;
  - b. the Wards admitted that they had provided boarding services for Beanz and Skittles on several occasions;

- c. Mr. Ward said that on November 21, 2024, he took the dogs outside in the unfenced backyard without a leash and that Beanz ran away;
  - d. Mr. Ward said that he searched for Beanz and that he caught sight of him one time, but the dog would not come to him;
  - e. the Wards relayed that later that evening of November 21, 2024, they were notified by the owner of Beanz that the dog was found in the road 3 blocks from their residence. Beanz was taken by his owner to a veterinary hospital and there he was declared to be deceased; and
  - f. the Wards admitted that they had previously advertised their boarding services to the public via Rover and Facebook posts.
5. A review of AWS documentation shows that AWS has never issued a boarding kennel license to Ryan and/or Jessica Ward for a boarding facility in their residence.

## **CONCLUSIONS**

To the extent that the Findings of Fact contain Conclusions of Law, or that the Conclusions of Law are Findings of Fact, they should be so considered without regard to the given labels. Based on the findings of this investigation, AWS concludes that the kennel violated the following provisions:

NCGS §19A-28 for operating a boarding kennel without obtaining a license granted by the AWS Director to operate such an establishment which resulted in the death of a dog.

## **CIVIL PENALTY**

As required by NCGS § 19A-40, in determining the amount of the civil penalty, I have considered the degree and extent of harm caused by the violation listed above.

Accordingly, Ryan and Jessica Ward are hereby assessed a civil penalty for the following violation:

\$1,000.00 for the violation of NCGS § 19A-28 for operating a boarding kennel without obtaining a license granted by the AWS Director to operate such an establishment. This violation resulted in the death of a dog.

**\$1,000.00 TOTAL AMOUNT ASSESSED**

Please be aware that pursuant to NC General Statute § 19A-33, operation of a boarding kennel without a currently valid license constitutes a Class 3 misdemeanor with each day of operation constituting a separate offense. In addition, the operation of a boarding kennel without a valid license is a violation of the NC Animal Welfare Act and may result in the assessment of a civil penalty of up to \$5,000.00 per violation pursuant to NC General Statute § 19A-40 and/or the suspension, revocation, or denial of a license pursuant to NC General Statute § 19A-30.

(See Appendix for text of referenced General Statutes and Administrative Code)



January 7, 2025

Date

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Patricia Norris, DVM, MS  
Director, Animal Welfare Section  
North Carolina Department of  
Agriculture & Consumer Services

## Appendix

### REFERENCED LAWS AND REGULATIONS

#### **§ 19A-28. License required for public auction or boarding kennel.**

No person shall operate a public auction or a boarding kennel unless a license to operate such establishment shall have been granted by the Director. Application for such license shall be made in the manner provided by the Director. The license period shall be the fiscal year and the license fee shall be seventy-five dollars (\$75.00) for each license period or part thereof beginning with the first day of the fiscal year.

#### **§ 19A-30. Refusal, suspension or revocation of certificate or license.**

The Director may refuse to issue or renew or may suspend or revoke a certificate of registration for any animal shelter or a license for any public auction, kennel, pet shop, or dealer, if after an impartial investigation as provided in this Article he determines that any one or more of the following grounds apply:

- (1) Material misstatement in the application for the original certificate of registration or license or in the application for any renewal under this Article;
- (2) Willful disregard or violation of this Article or any rules issued pursuant thereto;
- (3) Failure to provide adequate housing facilities and/or primary enclosures for the purposes of this Article, or if the feeding, watering, sanitizing and housing practices at the animal shelter, public auction, pet shop, or kennel are not consistent with the intent of this Article or the rules adopted under this Article;
- (4) Allowing one's license under this Article to be used by an unlicensed person;
- (5) Conviction of any crime an essential element of which is misstatement, fraud, or dishonesty, or conviction of any felony;
- (6) Making substantial misrepresentations or false promises of a character likely to influence, persuade, or induce in connection with the business of a public auction, commercial kennel, pet shop, or dealer;
- (7) Pursuing a continued course of misrepresentation of or making false promises through advertising, salesmen, agents, or otherwise in connection with the business to be licensed;
- (8) Failure to possess the necessary qualifications or to meet the requirements of this Article for the issuance or holding of a certificate of registration or license.

The Director shall, before refusing to issue or renew and before suspension or revocation of a certificate of registration or a license, give to the applicant or holder thereof a written notice containing a statement indicating in what respects the applicant or holder has failed to satisfy the requirements for the holding of a certificate of registration or a license. If a certificate of registration or a license is suspended or revoked under the provisions hereof, the holder shall have five days from such suspension or revocation to surrender all certificates of registration or licenses issued thereunder to the Director or his authorized representative.

A person to whom a certificate of registration or a license is denied, suspended, or revoked by the Director may contest the action by filing a petition under G.S. 150B-23 within five days after the denial, suspension, or revocation.

Any licensee whose license is revoked under the provisions of this Article shall not be eligible to apply for a new license hereunder until one year has elapsed from the date of the order revoking said license or if an appeal is taken from said order of revocation, one year from the date of the order or final

judgment sustaining said revocation. Any person who has been an officer, agent, or employee of a licensee whose license has been revoked or suspended and who is responsible for or participated in the violation upon which the order of suspension or revocation was based, shall not be licensed within the period during which the order of suspension or revocation is in effect.

**§ 19A-33. Penalty for operation of pet shop, kennel or auction without license.**

Operation of a pet shop, kennel, or public auction without a currently valid license shall constitute a Class 3 misdemeanor subject only to a penalty of not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00), and each day of operation shall constitute a separate offense.

**§ 19A-40. Civil Penalties.**

The Director may assess a civil penalty of not more than five thousand dollars (\$5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Director shall consider the degree and extent of harm caused by the violation. The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.