



# North Carolina Department of Public Safety

## Private Protective Services Board

Roy Cooper, Governor  
Eddie M. Buffalo, Jr., Secretary

Vincent "Bud" Cesena, Chair  
Paul Sherwin, Director

### MEETING MINUTES OF THE NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD

DATE: April 21, 2022

TIME: 9:00 A.M.

PLACE: Hampton Inn & Suites, 3920 Arrow Drive  
Raleigh, North Carolina 27612

SUBMITTED BY: Paul Sherwin, Director

#### MEMBERS PRESENT

Chair - Bud Cesena  
Stacy Buff  
Dave Stephens  
Ron Burris  
Debra Duncan  
Tamara Rabenold  
Kim Heffney  
Vice-Chair Steve Johnson  
Nada Lawrimore  
Jerry Pitman  
Andy Renfrow  
Gerry Stickl  
Sam Russell  
Assata Buffalo

#### MEMBERS ABSENT

#### STAFF PRESENT

Paul Sherwin      Ray Bullard  
Jeff Gray         Daniel Cheatham  
Amanda Rolle  
Kim Odom  
Garcia Graham  
Carolina Valand

#### VISITORS PRESENT

Don Miller         Michael Easterday  
Suzanne Creech    Kevin Reece  
Vicki Underwood   Tasha Dyson  
Robert Dunn

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Chairman Vincent "Bud" Cesena called the April 21, 2022 meeting of the North Carolina Private Protective Services Board to order at 9:00 A.M.

Attorney Jeff Gray read the following statement:

"In accordance with the State Ethics Law, it is the duty of every Board member to avoid both conflicts of interest and appearances of conflict. If any member has any known conflict of interest or appearance of conflict with respect to any matter coming before this Board today, please identify the conflict or appearance and refrain from the deliberation and vote in that matter."

**DEBRA DUNCAN MADE A MOTION TO ACCEPT THE FEBRUARY 17, 2022 BOARD MEETING MINUTES. SECONDED BY GERRY STICKL. MOTION CARRIED. NONE OPPOSED.**

### **FINAL AGENCY DECISIONS**

Michael Abram Craddock – 21 DOJ 05086. Mr. Craddock was present in person. This case was heard by Administrative Law Judge Karlene S. Turrentine on January 27, 2022. This case involved the summary suspension of Petitioner's armed registration based on a lack of good moral character and temperate habits as evidenced by charges of misdemeanor of Impersonating Law Enforcement Officer in Mecklenburg County, NC.

**RON BURRIS MADE A MOTION TO ACCEPT THE ADMINISTRATIVE LAW JUDGE'S DECISION AND RESCIND THE SUMMARY SUSPENSION OF MR. CRADDOCK'S ARMED GUARD REGISTRATION. SECONDED BY VICE CHAIRMAN STEVE JOHNSON. MOTION CARRIED. NONE OPPOSED**

William Christopher Giles – 21 DOJ 05206. Mr. Giles was not present. This case was heard by Administrative Law Judge Karlene S. Turrentine on January 27, 2022. This case involved the summary suspension of Petitioner's Security Guard and Patrol Business License and armed security guard registration based on a lack of good moral character and temperate habits as evidenced by charges of felony exploitation of a disabled adult and failure to report the charge.

**STACY BUFF MADE A MOTION TO ACCEPT THE ADMINISTRATIVE LAW JUDGE'S DECISION AND UPHOLD THE SUMMARY SUSPENSION OF MR. GILES' SECURITY GUARD AND PATROL BUSINESS LICENSE AND ARMED GUARD REGISTRATION. SECONDED BY VICE CHAIRMAN STEVE JOHNSON. MOTION CARRIED. NONE OPPOSED**

## **GRIEVANCE COMMITTEE REPORT**

Ron Burris presented the Grievance Committee report. Mr. Burris, Vice-Chair Steve Johnson, Jerry Pitman, Nada Lawrimore, Gerry Stickl, and Tamara Rabenold met in person and virtually on April 19, 2022, from 9:00 A.M. to 3:00 P.M. and heard a total of fifteen (15) cases.

**VICE CHAIRMAN STEVE JOHNSON MADE A MOTION TO APPROVE ALL CASES EXCEPT CASE #1 - RAYMOND TAHIR. DAVID STEPHENS SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED**

**STACY BUFF MADE A MOTION TO APPROVE CASE #1 - RAYMOND TAHIR. ANDY RENFROW RECUSED HIMSELF. TAMARA RABENOLD SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED**

*SEE ATTACHMENT FOR THE FULL GRIEVANCE REPORT*

## **SCREENING COMMITTEE REPORT**

Stacy Buff presented the Screening Committee report. Stacy Buff, David Stephens, Debra Duncan, Kim Heffney, Assata Buffaloe and Sam Russell met on April 20, 2022, from 9:00 A.M. to 10:53 A.M. and heard a total of forty-eight (48) cases.

**TAMARA RABENOLD MADE A MOTION TO APPROVE ALL CASES WITH THE EXCEPTION OF #13. GERRY STICKL SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

**NADA LAWRIMORE MADE A MOTION TO APPROVE CASE #13 – TIMOTHY FORRESTALL. DAVID STEPHENS RECUSED HIMSELF. SAM RUSSELL SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

*SEE ATTACHMENT FOR THE FULL SCREENING REPORT*

## **LAWS AND RULES COMMITTEE REPORT**

Vice Chairman Steve Johnson presented the Law and Rules Committee report. Vice-Chairman Steve Johnson, Debra Duncan, Kim Heffney, Jerry Pitman and Tamara Rabenold met on April 20, 2022, from 2:30 P.M. to 3:30 P.M. The committee discussed several items: First, the committee discussed the fee structure for Grievance cases. The Committee recommended that staff and Attorney Gray examine changing the current process on how the Grievance Committee handled licensees who are repeat offenders. Second, the Committee discussed individuals who are not licensed that are repeat offenders for unlicensed activity. He stated that this may require an amendment to the statute that will allow the Board to enhance its ability to impose a civil penalty. Third, Mr. Johnson stated that a Security Guard & Patrol company is using vehicles that are similar in appearance to a major N.C. law enforcement agency. Staff is conducting further research on this matter.

**DEBRA DUNCAN MADE A MOTION TO ACCEPT THE LAWS AND RULES REPORT. SAM RUSSELL SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

**TRAINING AND EDUCATION COMMITTEE REPORT**

**CHAIRMAN BUD CESENA PRESENTED THE TRAINING AND EDUCATION REPORT.**

On April 20, 2022, the Training and Education Committee met from 1:00 P.M. to 2:30 P.M. Chairman Bud Cesena, Vice-Chairman Steve Johnson, Stacy Buff, Tamara Rabenold, Assata Buffalo and Sam Russell were present. The Committee discussed several topics: First standing continuing education credits for conferences/seminars this was table until the next Board meeting. Second, the Committee discussed armed guards not qualifying with handguns if they do not carry a handgun. The Committee recommended to the Board to allow this under the current rules.

**STACY BUFF MADE A MOTION THAT ARMED GUARD MUST INITIALLY QUALIFY WITH THE HANDGUN AND ON REQUALIFICATION THEY WILL BE ABLE TO QUALIFY ONLY WITH THE FIREARM THEY CHOOSES TO CARRY. ASSATA BUFFALOE SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

Third, the Committee discussed duty to report a failed qualification of a dual armed registrant. Chairman Bud Cesena stated that the committee recommended that instructor should report failure to both companies.

**TAMARA RABENOLD MADE A MOTION TO ALLOW THE INSTRUCTORS TO NOTIFY BOTH COMPANIES THAT THE ARMED REGISTRANT HAS FAILED TO QUALIFY WITH A HANDGUN AND SHOULD NOT CARRY A FIREARM. SAM RUSSELL SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

Fourth, the committee discussed 90 days v.180 days in 14B NCAC .0807(e) and an amendment to clarify the administrative rule.

**STACY BUFF MADE A MOTION TO ADD THE WORD “INITIAL” TO ADMINISTRATIVE RULE 14B NCAC .0807(e). SAM RUSSELL SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

The committee reviewed thirty-two (32) new applications and five renewals (5) for continuing education credits and were all approved except for the new courses submitted by Frank Weicks, Bert Croom and Sandra Von Eschenbach. They were tabled until next meeting.

**TAMARA MADE A MOTION TO ACCEPT THE TRAINING AND EDUCATION REPORT. DEBRA DUNCAN SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

*SEE ATTACHMENT FOR THE FULL TRAINING AND EDUCATION REPORT*

### **NEW BUSINESS**

Mr. Pitman announced that the South Carolina Association of Legal Investigators (SCALI) is having their annual Spring conference in May 2022. Chairman Bud Cesena recommended that Mr. Pitman attend as a representative of the PPS Board, and staff can also attend if available.

**STACY BUFF MADE A MOTION TO APPROVE SENDING JERRY PITMAN AND STAFF TO THE SCALI SPRING CONFERENCE IN MAY 2022. SAM RUSSELL SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

Ms. Duncan reported that everyone completed their Statement of Economic Interest, and one Board member needs to complete ethics training.

### **DIRECTOR'S REPORT**

Director Paul Sherwin presented the Director's Report.

**STACY BUFF MADE A MOTION TO ACCEPT THE DIRECTOR'S REPORT AS PRESENTED. SAM RUSSELL SECONDED THE MOTION CARRIED. NONE OPPOSED.**

*SEE ATTACHMENT FOR THE FULL DIRECTOR'S REPORT*

### **ATTORNEY'S REPORT**

Attorney Jeff Gray presented the Attorney's Report.

The Committee also reviewed and discussed possible rules changes to 14B NCAC 16 .0201, .0203, .0404, .0706, .0806, .0904, .0911, .1306 and .1406, and recommended the Board approve changes to the rules.

**STAY BUFF MADE A MOTION TO ACCEPT THE ABOVE PROPOSED RULES CHANGES. TAMARA RABENOLD SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

**VICE CHAIRMAN STEVE JOHNSON MADE A MOTION TO ACCEPT THE ATTORNEY'S REPORT. DAVID STEPHENS SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

*SEE ATTACHMENT FOR THE FULL ATTORNEY'S REPORT*

**GOOD OF THE ORDER**

Don Miller, a representative of the NCAPI, greeted the Board. Mr. Miller stated that the NCAPI has about 210 members and he's very excited about the upcoming 2022 NCAPI Fall Conference that will be held in Cherokee, NC.

**VICE CHAIRMAN STEVE JOHNSON A MOTION TO ADJOURN. STACY BUFF SECONDED THE MOTION. MOTION CARRIED.**

Meeting Adjourned: 11:00 A.M.

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Paul Sherwin  
Director

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Garcia Graham  
Reporter

## PPSB Grievance After Report for April 21, 2022 9:00 am

	<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
1.	2021-PPS-035	Raymond Jamal Tahir A & R Investigations	NCGS 74C-2	Find the violation of NCGS 74C-2. Continue the cease and desist that was issued to Mr. Raymond Tahir and A & R Investigations for engaging in private protective services profession without being properly licensed or registered. Should Mr. Tahir apply for a license or registration, this matter will be referred to the Screening Committee.	Accepted
2.	2021-PPS-066	Charles Reedy C&M Defense Group 4917 Albermarle Rd ste 206 charlotte, NC 28205	14B NCAC 16 .0108(a) 14B NCAC 16 .0103(6) NCGS 74C-11 14B NCAC 16 .0701	Find a violation of 14B NCAC 16 .0108(a), 14B NCAC 16 .0103(6), NCGS 74C-11 and 14B NCAC 16 .0701. Enter into a consent agreement with Charles Reedy and C&M Defense Group in the amount of \$1,224.00 for 10 registration violations. Staff is to conduct a registration audit for Q3 and Q4 of 2021, and Q1 of 2022.	Accepted
3.	2021-PPS-067	David Watson Leonard Black Hawk International Security, LLC 6255 Town Center Dr #708 Clemmons, NC 27012	14B NCAC 16 .0108(a)	No violation of 14B NCAC 16 .0108(a).	Accepted

	<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
4.	2021-PPS-068	Ann Trinca SecTek, Inc. 1650 Tysons Boulevard Suite 925 Tysons, VA 22102	14B NCAC 16 .0108(a)	Find a violation of 14B NCAC 16 .0108(a). Enter into a consent agreement with Ann Trinca and SecTek, Inc., in the amount of \$1,591.20 for 13 registration violations. Staff is to conduct a registration audit for Q3 and Q4 of 2021, and Q1 of 2022.	Accepted
5.	2021-PPS-069	Michelle Diane Seiz American Security Associates, Inc. 4394 Seminole Drive Acworth, GA 30101	14B NCAC 16 .0108(a)	Find a violation of 14B NCAC 16 .0108(a). Enter into a consent agreement with Michelle Seiz and American Security Associates, Inc., in the amount of \$856.80 for 7 registration violations. Staff is to conduct a registration audit for Q3 and Q4 of 2021, and Q1 of 2022.	Accepted
6.	2021-PPS-074	Lavonne Mark Clarke  11038 Tree Branch Drive Charlotte, NC 28261	NCGS 74C-2 NCGS 74C-13	Find a violation of NCGS 74C-2 and NCGS 74C-13. Continue the cease and desist order previously issued to Mr. Lavonne Clarke until the Screening Committee approves his registration or license.	Accepted



	<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
7.	2021-PPS-081	Raymond Burroughs Ultimate Protection and Staffing 4501 Denfield Street Durham, NC 27704	NCGS 74C-2 NCGS 74C-13	Find a violation of NCGS 74C-2 and NCGS 74C-13. Continue the cease and desist order previously issued to Raymond Burroughs and refer this case to the Board's Attorney for evaluation of whether to pursue an injunction against Burroughs.	Accepted
8.	2021-PPS-087	Gabriel McCuller Sua Sponte Security, LLC 3364 Frontgate Dr Unit 14 Greenville, NC 27834	NCGS 74C-2 NCGS 74C-13	Find a violation of NCGS 74C-2 and NCGS 74C-13. Continue the cease and desist order previously issued to Gabriel McCuller and refer this case to the Screening Committee should he apply for a registration or license.	Accepted
9.	2021-PPS-089	Bruce Vernon Seibert Security PO Box 1775 Columbia, SC 292021775	74C-11	Find a violation of 74C-11 . Enter into a consent agreement with Bruce Seibert and Defender Services, Inc., in the amount of \$122.40 for one registration violation. Staff is to conduct a registration audit for Q3 and Q4 of 2021, and Q1 of 2022.	Accepted

	<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
10.	2021-PPS-090	Jeffrey Thomas Bradshaw Security 229 Airport Road Suite 7, PMB 200 Arden, NC 28704	74C-11	Find a violation of 74C-11. Enter into a consent agreement with Jeffrey Bradshaw and Bradshaw Security, LLC in the amount of \$122.40 for one registration violation. Staff is to conduct a registration audit for Q3 and Q4 of 2021, and Q1 of 2022.	Accepted
11.	2021-PPS-091	Cory James Barnette Inquest Solutions, Inc. 133 N. Main Street Alpharetta, GA 30009	14B NCAC 16 .0405	Find a violation of 14B NCAC 16 .0405 and issue a non-disciplinary letter of caution.	Accepted
12.	2021-PPS-093	William Christopher Giles WTSA Security, LLC 626 Margaret Dr. Statesville, NC 28677	NCGS 74C-12(a)(30) NCGS 74C-12(d)	Find a violation of NCGS 74C-12(a)(30) and NCGS 74C-12(d). Issue a civil penalty in the amount of \$250.00.	Accepted

	<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
13.	2021-PPS-096	Steven Andiloro Professional Security Solutions, LLC 172 Williamson Road, #4797 Mooresville, NC 28117	NCGS 74C-2 NCGS 74C-13	Find a violation of NCGS 74C-2 and NCGS 74C-13. The Board's Attorney is to file a Motion for Order to Show Cause (Contempt).	Accepted
14.	2022-PPS-002	Shenita Danielle Moore Saker Aegis Systems, Inc. P.O. Box 41053 Raleigh, NC 27604	NCGS 74C-13 NCGS 74C-2 14B NCAC 16 .0110	Find a violation of NCGS 74C-13, NCGS 74C-2 and 14B NCAC 16 .0110. Enter into a consent agreement with Shenita Moore and Saker Aegis Systems, Inc., in the amount of \$8,262.00 for 45 registration violations. The consent agreement may be paid in three equal installments. Staff is to conduct a registration audit for Q3 and Q4 of 2021, and Q1 of 2022.	Accepted
15.	2022-PPS-009	Ronald Howard Reich York Securities 557-B Pylon Drive Raleigh, NC 27606	14B NCAC 16 .0108(a)	Find a violation of 14B NCAC 16 .0108(a). Enter into a consent agreement with Ronald Reich and York Securities, in the amount of \$881.28 for nine registration violations. Staff is to conduct a registration audit for Q3 and Q4 of 2021, and Q1 of 2022.	Accepted

# Board Meeting Report

Board Date 04/21/2022

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
1.	Alexander Jorge Alvarado Digistream Carolinas 300 Fayetteville Street Raleigh, NC 27602	Private Investigator	Approve Private Investigator License.	Accepted
2.	Daniel Lamart Baldwin Baldwin Consulting and Investigations,LLC 14460 Falls of Neuse Road Raleigh, NC 27614	Private Investigator	Approve Private Investigator License.	Accepted
3.	Calvin lee Carter Love & Loyalty Security LLC 2303 phillips avenue greensboro, NC 27405	Security Guard And Patrol	Deny Security Guard & Patrol License for lack of verifiable experience, failure to complete application process, unfavorable criminal history, and falsification of application	Accepted
4.	CHRISTOPHER JON CHANCLOR USA INVESTIGATIVE SERVICES LLC PO BOX 805 MTAIRY, NC 27030	Private Investigator Associate	Approve with Condition Private Investigator Associate License Level I with no hours with the condition that the applicant provide proof of a credit payment plan.	Accepted
5.	Joseph Anthony Cielo CRC (Criminal Record Check) 2840 Plaza PI Raleigh, NC 27612	Private Investigator Associate	Approve Private Investigator Associate License Level II with 1,000 hours.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
6.	Harold Dean Crisp Jr Signal of Asheville 76 Bradford creek rd Mills river , NC 28759	Security Guard And Patrol	Approve Security Guard and Patrol License.	Accepted
7.	James William Darrow James McDougle Investigations, LLC 202 Windy Peak Loop Cary, NC 27519	Private Investigator	Approve Private Investigator License.	Accepted
8.	Amanda Rose Davis-Condon Professional Investigations and Paralegal Services P.O. Box 1632 Kinston, NC 28503	Private Investigator Associate	Approve Private Investigator Associate License Level II with 1,600 hours.	Accepted
9.	Loran Andre DeHonney Sr Computer Investigative Analysis LLC PO Box 755 Supply, NC 28462	Private Investigator	Approve Private Investigator License.	Accepted
10.	Archie Ernest Dinwiddie IV Chesley Brown International 1190 Winchester Parkway Smyrna, GA 30080	Security Guard And Patrol	Approve Security Guard and Patrol License.	Accepted
11.	PAUL EUGENE FOLTZ Sr Hana Industries Inc 485 Devon Park Drive WAYNE, PA 19087	Security Guard And Patrol	Approve Security Guard and Patrol License.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
12.	Allen Ray Forbes II Grimes Investigation 229 E. Walnut Street Goldsboro, NC 27530	Private Investigator Associate	Approve Private Investigator Associate License Level I with 800 hours.	Accepted
13.	Timothy Patrick Forrestall US ISS LLC 13801 Reese Blvd, West Huntersville, NC 28078	Private Investigator	Approve with Condition Private Investigator License with the condition that favorable fingerprint-based criminal history check results are received.	Accepted
14.	Grant Fyall United Services Automobile Association (USAA) 200 West Blvd Charlotte, NC 28203	Proprietary	Approve Proprietary application.	Accepted
15.	Ralph Garcia Macon Investigations 339 Nelson Road Monroe , NY 10950	Private Investigator	Approve Private Investigator License.	Accepted
16.	Craig Gorham Creative Management 201 W. Main Street Durham, NC 27701	Security Guard And Patrol	Approve Security Guard and Patrol License.	Accepted
17.	Adam Clay Halstead Cape Fear Investigative Services Inc 1213 Culbreth Dr Wilmington , NC 28405	Private Investigator	Approve Private Investigator License.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
18.	Christopher Thomas Hand Baier Investigations and Surveillance Services PO Box 1268 Fuquay Varina, NC 27526	Private Investigator Associate	Approve Private Investigator Associate License Level I with no hours.	Accepted
19.	maurice Montreal harris Third eye security LLC 204 south main street louisburg , NC 27549	Security Guard And Patrol	Defer Defer until the June 15, 2022 Screening Committee meeting.	Accepted
20.	Casey Holliday Battle Tested Security LLC 505 maxa rd aberdeen, MD 21001	Security Guard And Patrol	Approve Security Guard and Patrol License.	Accepted
21.	Jonathan Morris Jessup Ace Investigations and Recovery, LLC 2618 Battleground Ave Greensboro, NC 27408	Private Investigator Associate	Defer Defer until the June 15, 2022 Screening Committee meeting.	Accepted
22.	Antony Cedric Jones GMI Security Services 190 E Stacy Rd Allen, TX 75002	Security Guard And Patrol	Approve Security Guard and Patrol License.	Accepted
23.	BRADLEY SCOTT KANDARE MAXIM Investigative Services 1792 S. LAKE DRIVE LEXINGTON, SC 29073	Private Investigator	Approve Private Investigator License.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
24.	Michael David Krupa Andy Frain Services 761 Shoreline Drive Aurora, IL 60504	Guard Dog Service	Approve with Condition Guard Dog Service License with the condition that favorable fingerprint-based criminal history check results are received.	Accepted
25.	Theodore Sims Lemmons Sims Private Investigations PO Box 154 Clemmons, NC 27012	Private Investigator Associate	Approve Private Investigator Associate License Level III with 2,600 hours.	Accepted
26.	Dustin McDaniel Revelations Security 207 Fish Drive Angier, NC 27501	Armored Car	Approve Armored Car Profession License.	Accepted
27.	Dustin McDaniel Revelations Security 207 Fish Drive Angier, NC 27501	Courier Service	Approve Courier Service Profession License.	Accepted
28.	Dustin McDaniel Revelations Security 207 Fish Drive Angier, NC 27501	Security Guard And Patrol	Approve Security Guard and Patrol License.	Accepted
29.	Joshua Meadows Conner Investigative Services, LLC 820 2nd Ave Hickory, NC 28602	Private Investigator	Approve Private Investigator License.	Accepted



	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
30.	Jacob Isaac Miller Case-Closed Investigations, Inc. 200 Charlois Blvd Winston-Salem, NC 27103	Private Investigator Associate	Approve Private Investigator Associate License Level I with no hours.	Accepted
31.	Dale Morley DigiStream Investigations 417 Mace Boulevard, J-129 Davis, CA 95618	Private Investigator Associate	Approve Private Investigator Associate License Level II with 1,887 hours.	Accepted
32.	Ricky Clyde Mullinax Rick C. Mullinax PO Box 422 Shelby, NC 28151	Private Investigator	Approve Private Investigator License.	Accepted
33.	Jason Vance Neifert Batten Investigations, Inc. P.O. Box 835 Pinehurst, NC 28370	Private Investigator	Approve with Condition Private Investigator License with the condition that favorable fingerprint-based criminal history check results are received.	Accepted
34.	William Eric Niepert Lighthouse Investigative Services 106 North Water Stret Wilmington, NC 28401	Private Investigator	Approve Private Investigator License.	Accepted
35.	Anthony Rivera D & R Investigative Group, LLC PO Box 1115 Swansboro, NC 28584	Private Investigator	Approve Private Investigator License.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
36.	Jessie Salazar AS Surveillance, LLC P.O. Box 788 Thomasville, NC 27361-0788	Private Investigator	Approve with Condition Private Investigator License with the condition that favorable fingerprint-based criminal history check results are received.	Accepted
37.	Bradly Bales Sisk All Eyes Investigation Services, LLC 3069 Wallburg High Point Road High Point, NC 27265	Private Investigator	Approve Private Investigator License. Staff is to refer notary discrepancies to the North Carolina Secretary of State's office.	Accepted
38.	Denise Ranee Smith Professional Investigations and Paralegal Services PO Box 1632 Kinston, NC 28503	Private Investigator	Approve Private Investigator License.	Accepted
39.	Ronald Smith Advantage Surveillance, LLC DBA; AS Surveillance, LLC 360 Commercial Park Drive Thomasville, NC 27360	Private Investigator	Approve Private Investigator License.	Accepted
40.	Jeffrey Brett Stahl Blue Chameleon Investigations 6003 Oak Ridge Ct Matthews, NC 281040000	Electronic Countermeasures	Approve Electronic Countermeasures Profession License.	Accepted
41.	Patrick Sterling Sterling Adjustment Company, Inc. 8731 BAME RD COLFAX, NC 27235	Private Investigator	Approve Private Investigator License with the condition that favorable fingerprint-based criminal history check results are received.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
42.	Robert Curtis Stroud Wayne UNC 2700 Wayne Memorial Drive Goldsboro, NC 27534	Proprietary	Approve Proprietary application.	Accepted
43.	Salvatore B Travaglio Gumshoe Detective Services 8370 S. NC highway 41 Wallace, NC 28466	Private Investigator	Approve Private Investigator License.	Accepted
44.	Robert Howard Vasquez Command Investigations, LLC 250 Intl Pkwy Suite 100 Lake Mary, FL 32746	Private Investigator Associate	Approve Private Investigator Associate License Level I with no hours.	Accepted
45.	Leroy Wilson Jr Not yet announce. 7914 Howard Ave,Ext Rocky Mount, NC 27801	Security Guard And Patrol	Defer Defer until the June 15, 2022 Screening Committee meeting.	Accepted
46.	Nathaniel Gay Young Makwa Global security Solutions,Makwa LLC 3270 Waterford Glen lane Clemmons, NC 27012	Security Guard And Patrol	Approve Security Guard and Patrol License.	Accepted
47.	Robert Lee Young III Praesidium Protective Services Group, LLC 631 Brawley School Rd Ste 300 PMB 245 Mooresville, NC 28117	Private Investigator	Approve Private Investigator License.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
48.	Enrique Young FEBA, Inc 9103 Woodmore Center Drive Lanham , MD 20706	Security Guard And Patrol	Approve Security Guard and Patrol License.	Accepted



# North Carolina Department of Public Safety

## Private Protective Services Board

Roy Cooper, Governor  
Eddie Buffaloe, Jr., Secretary

Caroline Valand, Deputy Secretary  
Paul Sherwin, Director

### North Carolina Private Protective Services Board Training and Education Committee

#### Agenda April 20, 2022

#### The following PPS Trainer courses are scheduled:

#### Unarmed Guard Trainer Course and Workshop at Wake Tech. Community College

- April 25-29, 2022
- September 26-30, 2022
- November 5-9, 2022

#### Firearms Trainer Recertification/Prequalification

##### Salemburg

- May 11, 2022
- July 11, 2022
- August 29, 2022
- November 14, 2022

#### Firearms Trainer Course at N.C. Justice Academy, Salemburg

- September 12-15, 2022

#### Completed Training

- March 2, 2022-Firearms Recertification/Prequalification (Handgun/Long Gun)
- April 4-7, 2022-Basic Firearms Trainer Course

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# North Carolina Department of Public Safety

## Private Protective Services Board

Roy Cooper, Governor  
Eddie Buffaloe, Jr., Secretary

Caroline Valand, Deputy Secretary  
Paul Sherwin, Director

### Topics for Discussion

- Standing CEU credits for conferences-Director Sherwin
- Armed guards not qualifying with handguns if they do not carry them
- Duty to report a failed qualification of a dual armed registrant
- 90 days/180 days in 14B NCAC .0707
- Dedicated light systems for Firearms Trainer Recertification in 14B NCAC 16 .0904 (d)
- Milton “Skip” Webb application for CEU courses

### Weapon Discharges:

- On February 14, 2022, Greensboro Police Department (GPD) and Tracy Burke, Qualifying Agent for East Coast Protective, reported a possible weapon discharge by an armed registrant. According to GPD, on February 12, 2022, Brayhn Antwan Maurice Smith was at the “Trust” club located at 2800 West Gate City Blvd., Greensboro, North Carolina. A verbal and physical altercation began in front of the club. A possible muzzle flash can be seen on the surveillance video. Seconds later Smith appears and returns fire in the direction of the possible muzzle flash. A total of three people were transported to nearby hospitals with non-life-threatening injuries. Smith initially advised officers that he was working security at the club and then retracted that statement. The owners of the club, Michael Clark and Dominique Clark advised officers that Smith was not working security. Smith was in possession of two handguns. Both were seized by GPD. One of the handguns was Smith’s issued weapon from East Coast Protective, where he was a current registered armed guard. At the time of this report, it is uncertain if the weapon fired was Smith’s duty weapon or if the injuries were caused by Smith’s gun fire or someone else’s. Smith’s registration has been terminated with East Coast Protective.
- On March 11, 2022, Mike Matthews, Qualifying Agent for Capitol Special Patrol, emailed PPSB and advised of a weapon discharge that occurred on March 10, 2022. The email advised that Thomas Cooper was working an armed post at the Travel Plaza located at 4601 Sunset Road, Charlotte, North Carolina. At approximately 11:30 pm a male subject entered the business, picked up two cases of beer and started walking out of the business. Both the store manager and Cooper challenged the male subject to stop. The male subject continued walking out of the business. Cooper followed the male subject out of the door of the business. Cooper challenged the male subject to drop the

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# North Carolina Department of Public Safety

## Private Protective Services Board

Roy Cooper, Governor  
Eddie Buffaloe, Jr., Secretary

Caroline Valand, Deputy Secretary  
Paul Sherwin, Director

beer. The male subject opened the door of a passenger car, placed the two cases of beer into the car, and produced a black semi-automatic handgun. The male subject pointed the handgun at Cooper. Cooper responded by firing one round at the subject. The subject got into the car. The car then left the area. The Charlotte Mecklenburg Police Department was called to investigate. At the time of this report no criminal charges have been filed.

Investigator Bullard queried PPSM (Permitium) and discovered that Cooper was a properly registered armed guard with Capitol Special Patrol. Cooper was qualified to carry a Glock, Model 22, .40 caliber handgun.

- On March 22, 2022, Robert Rhodes, trainer for Allied Universal, emailed Investigator Bullard and advised of a negligent weapon discharge that occurred on March 19, 2022. An Allied Universal Incident Report was attached to the email. According to the Incident Report, William Spuhler was working an armed post at the GE Hitachi Power Plant located in Wilmington, North Carolina. Spuhler was attempting to clean his weapon and one round was negligently discharged. The round struck a window in the guard office (picture attached). No other damage or injuries were reported. According to the email Spuhler was carrying a Glock, Model 23, .40 caliber handgun. Law Enforcement was not contacted.

Investigator Bullard queried PPSM (Permitium) and discovered that Spuhler was a properly registered Armed Guard with Allied Universal. Spuhler was also qualified to carry a Glock, Model 23, .40 caliber handgun. A copy of the email, Incident Report and photograph are included in this file.

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# North Carolina Department of Public Safety

## Private Protective Services Board

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**End of Report**

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<input checked="" type="checkbox"/>	REQUESTED BY	COURSE NAME	Course Number	INSTRUCTOR(S)	Classroom/ Online	Date Submitted	Hours
		<b>New Application(s):</b>					
1.	Milton O. Webb Jr.	"Scoring Vs. Ignoring": The Use of Computer Aided Measurements Tools to Increase Polygraph Test Data Analysis Accuracy - <b>Approved</b>		Milton Webb Jr.	Classroom/Online	11-24-2021	<b>4</b>
2.	Milton O. Webb Jr.	"A Forensic Use for Human Physiology": Making Inferences of Truth or Deception Using Human Physiological Changes - <b>Approved</b>		Milton Webb Jr.	Classroom/Online	11-24-2021	<b>4</b>
3.	Milton O. Webb Jr.	"Probable Lie Question Development" The most important phase of the probable lie comparison question technique - <b>Approved</b>		Milton Webb Jr.	Classroom/Online	11-24-2021	<b>4</b>
4.	Milton O. Webb Jr.	"The Slippery slope from Deception to Interrogation"; Transitioning from Deceptive Results into the Interrogation - <b>Approved</b>		Milton Webb Jr.	Classroom/Online	11-24-2021	<b>4</b>
5.	Milton O. Webb Jr.	"The Research, Use, Evaluation and Efficacy of the Photoelectric Plethysmograph (PLE) as a viable measurement component in Polygraph Testing - <b>Approved</b>		Milton Webb Jr.	Classroom/Online	11-24-2021	<b>4</b>
6.	Steven Wilson	Professional Report Writing - <b>Approved</b>		Steven Wilson	Online	1-28-2022	<b>2</b>
7.	Frank Weicks	Protecting Critical Infrastructure - <b>Deferred</b>		Frank Weick & Rebecca Lomax	Classroom	2-21-2022	<b>4</b>
8.	Frank Weicks	Fundamentals of Terrorism: International and Domestic - <b>Deferred</b>		Frank Weick & Rebecca Lomax	Classroom	2-21-2022	<b>4</b>
9.	Sandra Von Eschenbach	Physical Security Operations: Intro to Security - <b>Deferred</b>		Steve Cassell	Online	2-28-2022	<b>2</b>
10.	Sandra Von Eschenbach	Physical Security Operations: Perimeter Security - <b>Deferred</b>		Steve Cassell	Online	2-28-2022	<b>2</b>
11.	Sandra Von Eschenbach	Physical Security Operations: Intrusion Detection - <b>Deferred</b>		Steve Cassell	Online	2-28-2022	<b>2</b>

<input checked="" type="checkbox"/>	REQUESTED BY	COURSE NAME	Course Number	INSTRUCTOR(S)	Classroom/ Online	Date Submitted	Hours
12.	Sandra Von Eschenbach	Physical Security Operations: Access Control - <b>Deferred</b>		Steve Cassell	Online	2-28-2022	2
13.	Sandra Von Eschenbach	Physical Security Operations: Security Lighting - <b>Deferred</b>		Steve Cassell	Online	2-28-2022	2
14.	Sandra Von Eschenbach	Physical Security Operations: Keys and Locks - <b>Deferred</b>		Steve Cassell	Online	2-28-2022	2
15.	Sandra Von Eschenbach	Physical Security Operations: CCTV System - <b>Deferred</b>		Steve Cassell	Online	2-28-2022	2
16.	Sandra Von Eschenbach	Physical Security Operations: Security Design - <b>Deferred</b>		Steve Cassell	Online	2-28-2022	2
17.	Sandra Von Eschenbach	Physical Security Operations: Physical Hardware - <b>Deferred</b>		Steve Cassell	Online	2-28-2022	8
18.	Sandra Von Eschenbach	Physical Security Operations: Policies Procedures - <b>Deferred</b>		Steve Cassell	Online	2-28-2022	8
19.	Sandra Von Eschenbach	Physical Security Operations: Universal Training - <b>Deferred</b>		Steve Cassell	Online	2-28-2022	16
20.	Bert Croom	Crisis De-Escalation for Private Investigators - <b>Deferred</b>		Bert Croom & D. Patrick Pridgen	Classroom/Online	3-14-2022	6
21.	Thomas H. Humphreys	Basic Forensic Scene Photography - <b>Approved</b>		Thomas H. Humphreys, Dean Beers & Karen Beers	Online	4-7-2022	2
22.	Thomas H. Humphreys	Basics of Individual Locates, Backgrounds, and Assets & Liabilities - <b>Approved</b>		Thomas H. Humphreys, Dean Beers & Karen Beers	Online	4-7-2022	1
23.	Thomas H. Humphreys	Cell Phone Basics for Legal Investigations - <b>Approved</b>		Thomas H. Humphreys, Dean Beers & Karen Beers	Online	4-7-2022	1.5

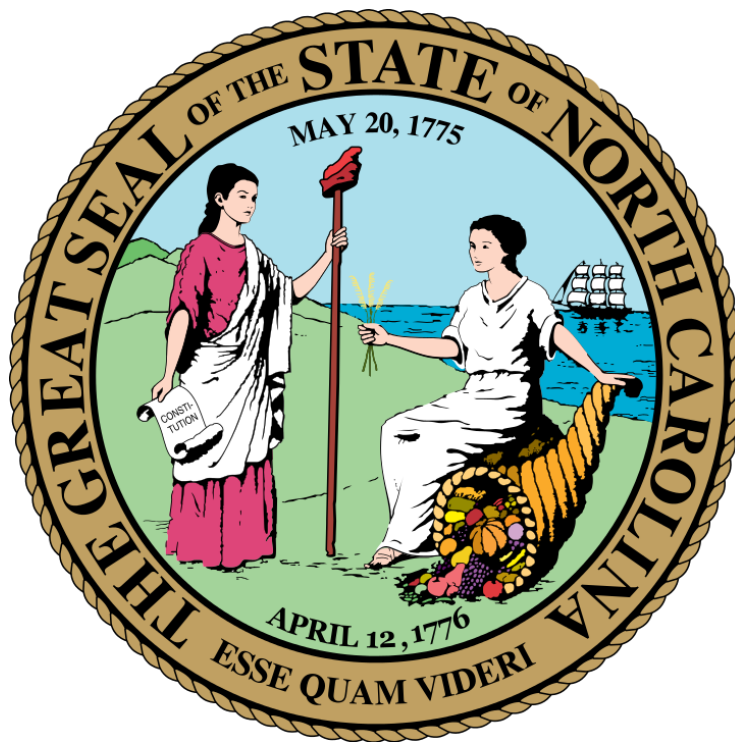
<input checked="" type="checkbox"/>	REQUESTED BY	COURSE NAME	Course Number	INSTRUCTOR(S)	Classroom/ Online	Date Submitted	Hours
24.	Thomas H. Humphreys	DNA and Fingerprints: Evidence & Identification - <b>Approved</b>		Thomas H. Humphreys, Dean Beers & Karen Beers	Online	4-7-2022	1.5
25.	Thomas H. Humphreys	Equivocal Death & Serious Bodily Injury Investigations - <b>Approved</b>		Thomas H. Humphreys, Dean Beers & Karen Beers	Online	4-7-2022	8
26.	Thomas H. Humphreys	Evidence Inspection & Documentation w/ DNA Collection - <b>Approved</b>		Thomas H. Humphreys, Dean Beers & Karen Beers	Online	4-7-2022	5
27.	Thomas H. Humphreys	Motor Vehicle Death and Serious Bodily Injury Investigations - <b>Approved</b>		Thomas H. Humphreys, Dean Beers & Karen Beers	Online	4-7-2022	1.5
28.	Thomas H. Humphreys	Practical Methods of Legal Investigations - <b>Approved</b>		Thomas H. Humphreys, Dean Beers & Karen Beers	Online	4-7-2022	3
29.	Thomas H. Humphreys	Scene Investigations in Death & Serious Bodily Injury (SBI) - <b>Approved</b>		Thomas H. Humphreys, Dean Beers & Karen Beers	Online		1
30.	Thomas H. Humphreys	Just the Facts: Report Writing and Documentation for Private Investigators - <b>Approved</b>		Thomas H. Humphreys	Online(live/virtual)		4

<input checked="" type="checkbox"/>	REQUESTED BY	COURSE NAME	Course Number	INSTRUCTOR(S)	Classroom/ Online	Date Submitted	Hours
31.	Thomas H. Humphreys	Statements, Lies, and Videotape: Mastering Investigative Interviews - <b>Approved</b>		Thomas H. Humphreys	Online(liv/virtual)		6
32.	Thomas H. Humphreys	Process Serving Essentials: Business Practices, Safety, Ethics & the Law - <b>Approved</b>		Thomas H. Humphreys & Jacob Osojnak	Online		4
		<b>Renewal Application(s):</b>					
1.	Frank Weicks	Human Trafficking: International and Domestic Modern-Day Slavery - <b>Approved</b>		Frank Weick & Rebecca Lomax	Classroom	2-21-2022	4
2.	Frank Weicks	Managing Stress and Burnout - <b>Approved</b>		Frank Weick and Rebecca Lomax	Classroom	2-21-2022	2
3.	Paul Sequin	Mortgage Fraud - <b>Approved</b>		Paul Sequin	Classroom	3-18-2022	6
4.	Paul Sequin	Surveillance "The Good, The Bad, The Ugly" - <b>Approved</b>		Paul Sequin	Classroom	3-18-2022	6
5.	Paul Sequin	Vehicular Theft & Fraud - <b>Approved</b>		Paul Sequin	Classroom	3-18-2022	6

# NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD

April 21, 2022

## DIRECTOR'S REPORT



Paul Sherwin, Director

## **DIRECTOR'S REPORT**

- I. PPS information and updates, page 3**
- II. Licensing, registration and certification summary, page 5**
- III. Budget summary, page 6**
- IV. Budget graphics, page 8**

# **PPS INFORMATION AND UPDATES**

## **PERSONNEL**

Private Protective Services currently has five vacant positions:

- Registration Application Processor (two positions) – Recruitment in progress
- PPSB Secretary – Recruitment in progress
- Administrative Assistant – Staffed with a part-time, temporary employee
- Greensboro-based Investigator – Recruitment in progress

Director Sherwin and Board Member Nada Lawrimore are currently completing a virtual 5-part Introduction to Regulatory Governance course being offered by the Council on Licensure, Enforcement and Regulation. Previous sessions were held in February and March, and future sessions are scheduled for April, May and June of 2022.

Director Sherwin and Attorney Jeff Gray attended the International Association of Security Industry Regulators (IASIR) Strategic Planning Conference in Las Vegas March 22-23, 2022. In addition to attending this event, designed to help plan the future of IASIR, Sherwin and Gray were able to briefly attend portions of the Intellenet annual conference and the ISC West Expo which were taking place at the same time.

## **Operations**

### **Registration Unit**

- Registration applications received year-to-date: 5,768  
(Same period in 2021: 6,104)

### **Licensing Unit**

- License applications received year-to-date: 355  
(Same period in 2021: 241)

### **Investigations Unit**

- License applicant background investigations completed year-to-date: 73  
(Same period in 2021: 93)
- Complaint investigations completed year-to-date: 34  
(Same period in 2021: 20)

### **Training Unit**

- Trainer applications received year-to-date: 118  
(Same period in 2021: 144)

In March 2022, Investigator Ray Bullard completed a registration audit of Blue Ridge Security, Inc., as part of Private Protective Services' proactive compliance program. He reviewed the registration records of eight employees for the third quarter of 2021 and found no violations. John Norton is the qualifying agent of Blue Ridge Security, Inc., and his license expires Nov. 30, 2023.

In February 2022, Investigator Darla Cole completed a registration audit of Brawnstone Security LLC, as part of Private Protective Services' proactive compliance program. She reviewed the registration records of eight employees for the third quarter of 2021 and found no violations. John Brumbaugh is the qualifying agent of Brawnstone Security LLC, and his license expires Dec. 31, 2023.



## LICENSING, REGISTRATION, AND CERTIFICATION SUMMARY

**Total active in Permitium: 23,675 (-7.6% from February 2022 meeting)**

Registration		
	Armed	3325
	Armed Armored Car	488
	Armed Private Investigator	82
	Armed Private Investigator Associate	7
	Unarmed	16289
	Unarmed Armored Car	42
<b>Registration Total</b>		<b>20233</b>
License		
	Armored Car Profession	73
	Courier Service Profession	72
	Electronic Counter Measures Profession	49
	Electronic Counter Measures Trainee	9
	Guard Dog Service Profession	16
	Polygraph Examiner	27
	Polygraph Trainee Permit	3
	Private Investigator	1804
	Private Investigator Temp Permit	4
	Private Investigator Associate	295
	Private Investigator Associate Temp Permit	1
	Proprietary	82
	Psychological Stress Evaluator	11
	Security guard and Patrol	517
	Special Limited Guard and Patrol	6
<b>License Total</b>		<b>2969</b>
Certification		
	Firearms Trainer	172
	Unarmed Guard Trainer Certification Total	301
<b>Certification Total</b>		<b>473</b>

**Private Protective Services Board Financial Report**  
**Fiscal Year 2022**  
**(July 1, 2021 – March 31, 2022)**

**PPSB Operating Fund Revenue and Expenditures**

FY22 revenue	\$	1,045,836.56
FY22 expenditures	\$	(1,033,656.93)
<b>FY21 FUND BALANCE INCREASE/(DECREASE)</b>		<b>\$ 12,179.63</b>

**PPSB Operating Fund Cash Flow**

Beginning Cash Balance (July 1, 2021)	\$	1,520,915.25
FY22 revenue	\$	1,045,836.56
FY22 expenditures	\$	(1,033,656.93)
<b>CURRENT FUND BALANCE</b>		<b>\$ 1,533,094.88</b>

**PPSB Education Fund Revenue and Expenditures**

FY22 revenue	\$	1,054.61
FY22 expenditures	\$	(5,000.00)
<b>FY21 EDUCATION FUND BALANCE INCREASE/(DECREASE)</b>		<b>\$ (3,945.39)</b>

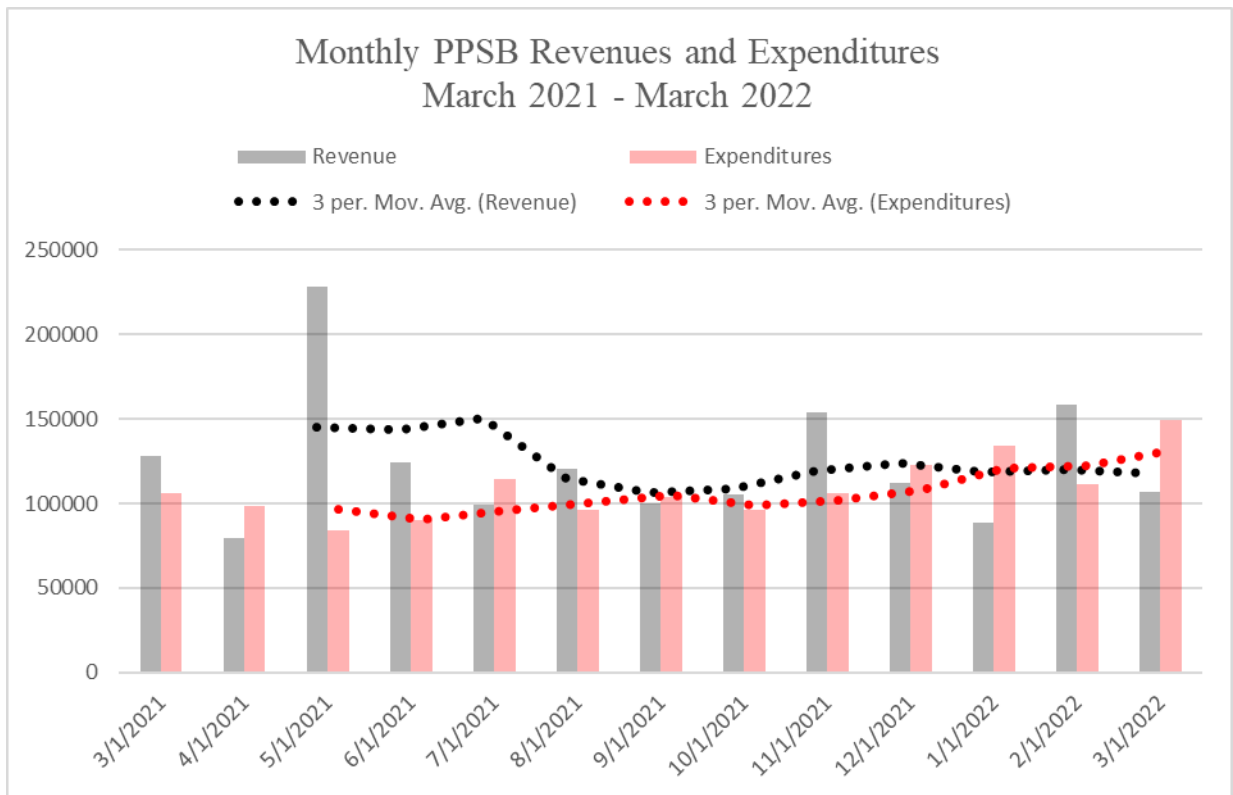
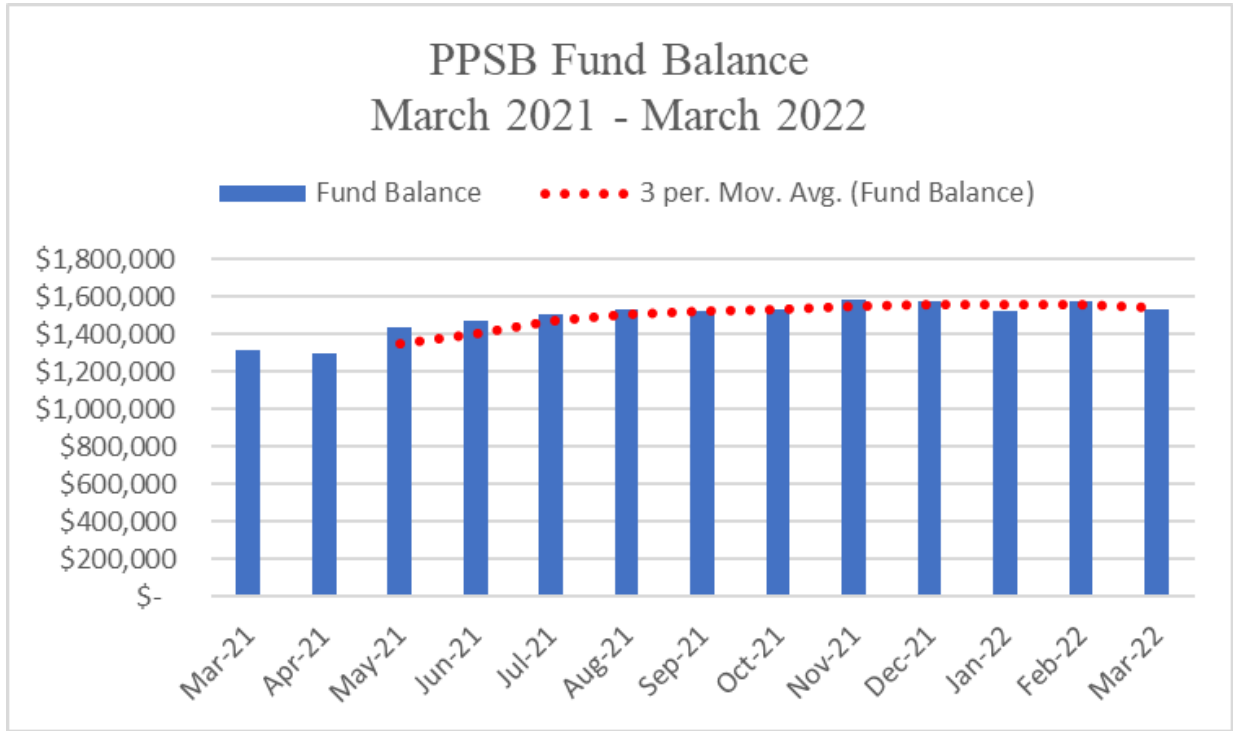
**PPSB Education Fund Cash Flow**

Beginning Cash Balance (July 1, 2021)	\$	125,994.35
FY22 revenue	\$	1,054.61
FY22 expenditures	\$	(5,000.00)
<b>CURRENT FUND BALANCE</b>		<b>\$ 122,048.96</b>

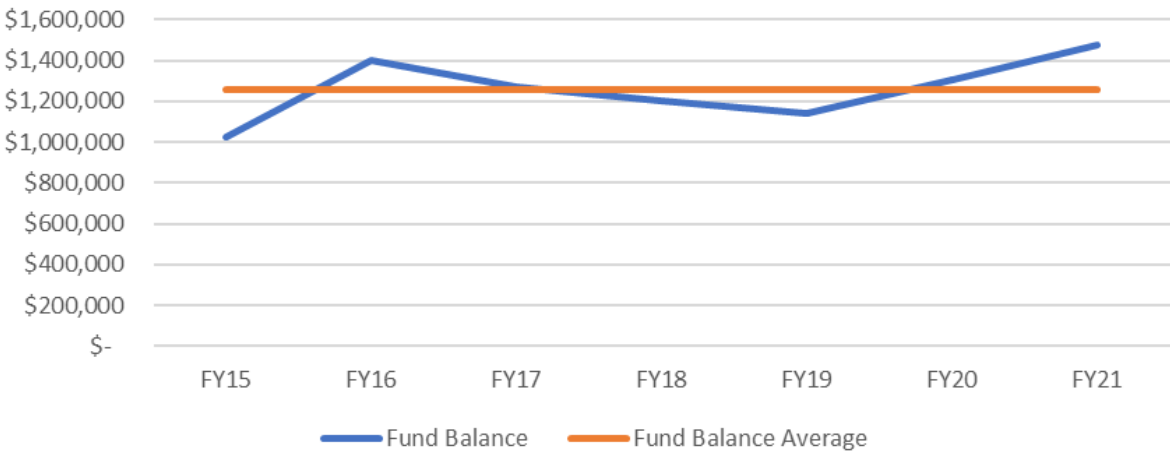
Budget items of note:

- The Board in February 2022 received \$22,202.81 in federal Coronavirus State Fiscal Recovery Funds. The money was a reimbursement for the COVID-related bonuses Private Protective Services employees, along with all state employees, received in December 2021 and January 2022.
- The N.C. Department of Public Safety in March 2022 deducted from the Board's funds its annual \$37,500 fee for administrative services, such as IT and human resources support.
- A routine check of deposit history for the Board's Education Fund recently found that the one-time \$50 fee charged to new license applicants was being deposited into an incorrect account within the Board's budget. This error is being corrected, which will result in an increase of the Education Fund's fiscal year revenue and fund balance.

## BUDGET GRAPHICS



### Historical PPSB Fund Balance Fiscal Years 2015-2021



# PRIVATE PROTECTIVE SERVICES BOARD

Raleigh, North Carolina

April 21, 2022

## ATTORNEY'S REPORT



# PRIVATE PROTECTIVE SERVICES BOARD

Raleigh, North Carolina

April 21, 2022

## I. CONSENT AGREEMENT, SETTLEMENT AGREEMENTS & CIVIL PENALTIES

1. On December 16, 2021 Verlean Robinson/Imperial Guard and Detective Service, Inc., enter into a Consent Agreement with the Board in the amount of \$1,346.40 for registration violations. The temporary agreement was signed by Linda Moss on November 9, 2021. Paid in Full.
2. On February 17, 2022, Steven Corbin/Task Force Protection Bureau, entered into a Consent Agreement with the Board in the amount of \$1,664.64 for registration violations. The temporary agreement was signed by QA Steven Corbin on January 11, 2022, to be paid in three monthly installments. First payment has been received.

## II. OFFICE OF ADMINISTRATIVE HEARINGS

*See, Hearings List (Attachment 1).*

## III. ADMINISTRATIVE RULES

a. At its April 2020 meeting the Board adopted amendments to five administrative rules to help lessen the burden on applicants, licensees and trainer certification holders during the lock-downs and travel bans enacted due to the COVID-19 pandemic. The amendment to 14B NCAC 16 .0201(e), .0806 (e), .0904(e), .1202(d), and .1203 first became emergency rules, and are now temporary rules. (Note: In .1203 the Board did not add language but merely removed the last line of (g) which limited online courses to six hours and moved (h) to make it "(e)" in .1202.) Unless the Board took action for each change to become a permanent rule to be in effect for any future declared national or state of emergency, these rule amendments expired on April 30, 2021. A copy of each rule, as amended, was attached to my April 22, 2021 Attorney's Report. The Board voted to make these rules permanent.

The Notice of Text was filed and a Public Hearing set for Tuesday, June 22, 2021 at 2:00 p.m. at the Board office. The Public Comment Period was to end August 2, 2021, however, it was discovered prior to the Public Hearing date that the notice of the Public Hearing had not been posted on the Board's website as required so a new Public Hearing date has been posted; it was Tuesday, August 17, 2021 at 2:00

p.m. at the Board's office. The new Public Comment Period ended October 1, 2021. There were no comments, oral or written.

The Board voted to approve these amendments at its October 21, 2016 meeting. The Submission for Permanent Rule form for these rules was filed on October 27, 2021, responses to Request for Technical Changes were filed November 22, 2021, and they were considered by the Rules Review Commission at its December 16, 2021 meeting and approved. A copy was attached as Attachment 2 to my February 17, 2022 Attorney's Report.

These amendments were effective January 1, 2022.

b. At its June 2021 meeting the Law & Rules Committee reviewed and discussed 11 proposed administrative rule amendments and adoptions and proposed to the full Board proceeding with amendments to five administrative rules (i.e. 14B NCAC 16 .0110, .0501, .0807, .0903 & .1203.) I was requested to make changes to one other rule and a proposed new rule and return these to the Law & Rules Committee for consideration at its August 2021 meeting. (Note: The status of the amendments to 14B NCAC 16 .0103 and new 14B NCAC 16 .0115 are addressed in c., below.)

The Notice of Text for the first five rules was filed on July 23, 2021. The Public Hearing was held August 31, 2021 at 2:00 p.m. at the Board's office and there were no attendees; the Public Comment Period ended October 20, 2021. There were no comments, oral or written.

The Board voted to approve these rule amendments at its October 21, 2021 meeting. The Submission for Permanent Rule form for these rules was filed on December 9, 2021. There were no Request for Technical Changes and they were approved by the Rules Review Commission at its January 20, 2022 meeting. A copy is attached as Attachment 2.

These amendments were effective February 1, 2022.

c. The above referenced administrative rule amendment and adoption were considered by the Law & Rules Committee at its August meeting and were recommended to the Board for approval. The Board adopted the Committee's recommendation.

The Notice of Text for the amendment to 14B NCAC 16 .0103 and the adoption of new 14B NCAC 16 .0115 was filed on August 24, 2021. The Public Hearing was held October 5, 2021 at the Board's office. The Public Comment Period expired November 15, 2021. There were no comments, oral or written.



The Board voted to approve these rule amendments at its December 16, 2021 meeting the Submission for Permanent Rule form for these rules was filed on December 11, 2021, responses to Request for Technical Changes were filed February 10, 2022, and they were considered by the Rules Review Commission at its February 17, 2022 meeting and approved. A copy is attached as Attachment 3.

These amendments were effective March 1, 2022.

d. At its December 2021 meeting, and based on a recommendation of the Law and Rules Committee, the Board voted to amend 14B NCAC 16 .0201 to establish a new procedure to allow character letters to be submitted electronically, to amend .0404 to require a Private Investigator to have proof that a requested written report was provided to a client, to repeal an antiquated provision (.0904(a)(4)) requiring payment of a fee for a criminal history record check for renewal of a firearms trainer certificate, and amend all of the Board's "renewal rules" (i.e. .0203, .0706, .0806, .0904, .0911, .1306 and .1406) to allow Board's staff to hold a renewal application if there is a deniable criminal charge pending.

The Notice of Text was filed January 10, 2022. The Public Hearing was held Tuesday, February 22, 2022 at 2:00 p.m. at the Board's office. The Public Comment Period expired April 4, 2022. There were no comments, oral or written.

A vote to approve these rule amendments is in order for today. A copy is attached as Attachment 4.

e. At its February 2022 meeting, and based on a recommendation of the Training and Education Committee, the Board voted to amend 14B NCAC 16 .0806, .0904 and .0911 to extend by 30 days (i.e. from 60 to 90 days) the renewal deadlines for firearm registration permits and firearm trainer certificates during the time of a declared state of emergency. This extension was first adopted as emergency, then temporary and finally permanent rule amendments and were effective January 1, 2022. (*See, a., above.*) These rule amendments now afford the same extension for an unarmed trainer certificate.

The changes to 14B NCAC 16 .0911(a)(2), (3), new (4) and new (b) are to be approved at today's meeting. (*See, d., above.*)

The Notice of Text was filed February 25, 2022. The Public Hearing is scheduled for Tuesday, April 26, 2022 at 2:00 p.m. at the Board's office. The Public Comment Period expires May 31, 2022.

#### IV. LITIGATION

a. At its February 18, 2021 meeting the Board instructed me to file a Motion to Show Cause as to William John Haglar, an unlicensed private investigator who entered into a Consent Order in Wake County Superior Court in 2014 that he would not engage in any activity defined by Chapter 74C of the General Statutes as a "private protective service" in the State of North Carolina. Mr. Haglar has been caught performing private investigator services as recent as December 2020.

After confirming with the attorney who had filed an Affidavit of Service in a domestic case stating Mr. Haglar was a "private investigator," that Mr. Haglar was not the attorney's agent or employee, I filed the Motion on March 30, 2021. Mr. Haglar was served at an addresses in Florida and acknowledged receipt of the Motion by letter.

I noticed a hearing on the Motion for August 2, 2021. Mr. Haglar did not appear, however the presiding Judge granted the Motion and Mr. Haglar was ordered to appear and show cause as to why he should not be held in civil or criminal contempt on August 30, 2021. Having been unsuccessful in serving him by certified mail, I hired a private process server in the State of Florida who was unsuccessful in serving Mr. Haglar. I had to obtain a new court date, which was Monday, October 11, 2021. This time I successfully had him served by the Sheriff of Palm Beach County, Florida.

At his hearing on October 11<sup>th</sup> Mr. Haglar did not personally appear; he retained an attorney the previous Friday to appear on his behalf. I objected to a continuance, but since a person must be personally present for a judge to hold him or her in indirect contempt, the presiding Judge continued the hearing but entered an order that Mr. Haglar personally appear on November 15, 2021 or an order for arrest would be issued.

Mr. Haglar did not appear on the November 15<sup>th</sup> hearing date, but his attorney appeared on his behalf stating he was in the Mayo Clinic in Phoenix, Arizona having had emergency surgery and had suffered a heart attack. The presiding Judge, at my request, required proof. Later in the day Mr. Haglar's attorney provided a letter signed by a physician, an Affidavit, and a photograph of Mr. Haglar lying in a hospital bed. The Judge did not issue the warrant for arrest, and continued the hearing.

The hearing was recalendared for January 31, 2022. Mr. Haglar and his attorney appeared, however the hearing was continued to allow time for a hearing on objections to the subpoena I issued to the attorney who filed the Affidavit of Service in the domestic case stating Mr. Haglar was a "Private Investigator." That hearing was calendared for March 7<sup>th</sup>, virtually, but was continued due to "technical issues." It has been re-calendared for April 25, 2022.

b. At its June 17, 2021 meeting the Board instructed me to file a Motion to Show Cause as to Trini Lydell Hollins, who had -- and continues to! -- operate an

unlicensed Security Guard and Patrol business in the Piedmont and South-central part of the State. He and his business partner had entered into a Consent Order in Wake County Superior Court in 2020 that they each would cease operations and not further engage in a private protective service unless licensed by the Board. It was discovered earlier this year that Mr. Hollins has continued to operate an unlicensed business, following the same *modus operandi*, and employing both (untrained) armed and unarmed security guards.

I prepared and filed a Motion for Order to Show Cause and noticed the hearing for August 2, 2021. I was unsuccessful at service on Mr. Hollins by certified mail. A new hearing date was requested and Special Agents of the ALE were requested to assist with service but were unsuccessful.

I obtained another new hearing date of November 1, 2021, but service by the Sheriff of Mecklenburg County was unsuccessful.

I obtained yet another hearing date, December 13, 2021. With the assistance of Private Investigator Kay Rivera, as a private process server, I finally succeeded in serving Mr. Hollins with the initial Motion for Order to Show Cause and a Notice of Hearing for December 13<sup>th</sup>.

Mr. Hollins appeared on December 13<sup>th</sup> and requested time to retain an attorney to represent him. The Show Cause hearing was recalendared for Monday, January 31, 2022. Mr. Hollins and his attorney appeared, and Director Paul Sherwin, Deputy Director Amanda Rolle and (former) Investigator Nick Ezell testified; Mr. Hollins presented no evidence in his defense.

The Judge found him in criminal contempt for engaging in the private protective service business by advertising for security guards and ordered him jailed for 30 days. The 30 days was suspended, he was placed on supervised probation for two (2) years, given seven (7) days active jail time, and ordered to pay the Board's costs.

## V. LEGISLATION

a. House Bill 349, "Traffic-Control Training Program." With limited exceptions, such as firemen and rescue squad members, any private citizen who directs traffic on a public highway in North Carolina must be authorized by the sheriff or chief of police. Many registered security guards have and maintain this authority. The current minimum age is 18, the training course is three hours, and the authorization card expires after two years.

This bill makes several changes to the law governing traffic control officers. It raises the age to 21, increase the training course to eight hours (four classroom; four roadside) to be taught by the Community College System, and extends the expiration of the authorization card to three years. It will also require proof of liability insurance.

This bill passed the House on May 6, 2021, and has been referred to the Senate Committee on Rules. (No copy attached.)

b. Senate Bill 424, "Private Protective Services Licensing Modifications." This bill is the Board's bill. (Note: Although the Board voted to agree with the Legislative Liaison for DPS's suggestion that it be introduced as two bills, the bill sponsor combined the Close Personal Protection portions and the remaining substantive changes into one bill.)

This bill passed the Senate 49 to 0 (with 1 excused absence) on October 6, 2021. It was amended on the Senate floor with two minor technical changes requested by legislative staff.

It has been referred to the House Committee on Rules.

A copy, as amended on the Senate floor, was attached to my October 21, 2021 Attorney's Report.

Susanna Davis, Legislative Liaison for the Department of Public Safety reported on the bill's status and the possibility of passage during the legislature's "short session," which begins May 4, 2022, at the Board February 17<sup>th</sup> meeting.

## VI. FINAL AGENCY DECISIONS

a. William Christopher Giles (*see*, attachment 6.)

b. Michael Adam Craddock (*see*, attachment 7.)

PPSB  
**MASTER HEARINGS LIST**  
as of April 13, 2022

1.

OAH HEARING DATE	PETITIONER	TYPE OF APPLICATION	FAD STATUS OR HEARING DATE
January 27, 2022	David Bradford Russell 21 DOJ 04652	Denial of Proprietary Security Organization application	Proposed Final Decision received April 6, 2022.
January 27, 2022	Michael Abram Craddock 21 DOJ 05086	Summary Suspension of Armed Guard Registration.	April 21, 2022.
January 27, 2022	William Christopher Giles 21 DOJ 05206	Summary Suspension of Security Guard and Patrol license and Armed Guard Registration	April 21, 2022.
February 22, 2022	Jameere Dashun Samuel Ollison 21 DOJ 05506	Summary Suspension of Armed and Unarmed Guard Registration	Registrations expired December 31, 2021; no renewal; hearing withdrawn March 9, 2022.
February 22, 2022	Roderick Duane Daniels 21 DOJ 05507	Summary Suspension of Armed Guard Registration and Armed Armored Car Guard Registration	Heard at February 15, 2022 Grievance Committee meeting and February 17, 2022 Board meeting; summary suspension upheld; hearing withdrawn February 22, 2022.
March 29, 2022	Sharron Monique Patillo 22 DOJ 00417	Summary Suspension of Armed Guard Registration	Terminated by employer; hearing withdrawn April 8, 2022.
April 26, 2022	Donquavius Averon Boyd 21 DOJ 05505	Summary Suspension of Armed Armored Car Service Registration	Terminated by employer; hearing withdrawn April 8, 2022.
April 26, 2022	Adam Robert Trantum 22 DOJ 00805	12 month Revocation of (2 licenses, 3 certifications & 2 registrations.)	
May 24, 2022	Phillip David Holiday 22 DOJ 00908	Summary Suspension of Armed Proprietary Guard Registration	
May 24, 2022	Franklin Jones, Jr. 22 DOJ 00909	Summary Suspension of Armed Proprietary Guard Registration	

2.

TITLE 10A - DEPARTMENT OF HEALTH AND HUMAN SERVICES

10A NCAC 13F .0405 QUALIFICATIONS OF FOOD SERVICE SUPERVISOR

Each facility shall have a food service supervisor that is experienced in food service in commercial, healthcare, or congregate care settings who shall consult with a licensed dietitian/nutritionist as necessary to meet the dietary needs of the residents in accordance with Rule .0904 of this Subchapter.

History Note: Authority G.S. 131D-2.16; 131D-4.5; 143B-165; Eff. January 1, 1977; Readopted Eff. October 31, 1977; Amended Eff. April 1, 1987; April 1, 1984; Readopted Eff. February 1, 2022.

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10A NCAC 14C .1703 PERFORMANCE STANDARDS

(a) A health service facility that proposes to develop a new open-heart surgery service shall:

- (1) provide the projected number of open-heart surgical procedures to be performed during each of the first three full fiscal years of operation following completion of the project;
(2) provide the assumptions and methodology used to project the utilization required by Subparagraph (a)(1) of this Paragraph; and
(3) project to perform 150 or more open-heart surgical procedures in the third full fiscal year of operation following completion of the project.

(b) A health service facility that proposes to acquire a heart-lung bypass machine, excluding a heart-lung bypass machine proposed to be acquired pursuant to Policy AC-6 in the annual State Medical Facilities Plan in effect as of the first day of the review period, shall:

- (1) provide the number of existing heart-lung bypass machines owned or operated by the health service facility;
(2) provide the number of approved heart-lung bypass machines that will be owned or operated by the health service facility;
(3) provide projected utilization of the existing and approved heart-lung bypass machines identified in Subparagraphs (b)(1) and (b)(2) of this Paragraph and the proposed heart-lung bypass machine during each of the first three full fiscal years of operation following completion of the project;
(4) provide the assumptions and methodology used to project the utilization required by Subparagraph (b)(3) of this Paragraph; and
(5) project that the existing and approved heart-lung bypass machines identified in Subparagraphs (b)(1) and (b)(2) of this

Paragraph and the proposed heart-lung bypass machine will be used during the third full fiscal year of operation following completion of the project:

- (A) to perform 200 or more open-heart surgical procedures per heart-lung bypass machine; or
(B) for 900 hours or more per heart-lung bypass machine, including time in use and time spent on standby, for all types of procedures.

History Note: Authority G.S. 131E-177(1); 131E-183(b); Eff. January 1, 1987; Amended Eff. November 1, 1989; Temporary Amendment Eff. September 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Amended Eff. January 4, 1994; Temporary Amendment January 1, 1999; Temporary Eff. January 1, 1999 expired October 12, 1999; Temporary Amendment Eff. January 1, 2000 and shall expire on the date the permanent amendment to this rule, approved by the Rules Review Commission on November 17, 1999, becomes effective; Amended Eff. July 1, 2000; Temporary Amendment Eff. January 1, 2002; Amended Eff. April 1, 2003; Temporary Amendment Eff. February 1, 2010; Amended Eff. January 1, 2013; November 1, 2010; Readopted Eff. February 1, 2022.

TITLE 14B - DEPARTMENT OF PUBLIC SAFETY

14B NCAC 16 .0110 REPORTING REQUIREMENTS

(a) If any registrant, trainee, certificate holder, employee, subcontractor, or any other person providing private protective services on behalf of a licensee is charged with any criminal offense that would constitute grounds to deny, suspend, or revoke a permit, registration or certificate under this Chapter, the licensee shall report the criminal charge to the Board either in person or by telephone no later than the first business day following knowledge of the charge. The licensee shall provide a copy of the charging document and a written explanation to the Board within five business days.

(b) If any licensee, trainee, registrant, or certificate holder, or any employee, subcontractor, or any other person providing services on behalf of a licensee, trainee, registrant, or certificate holder is charged with any criminal offense that would constitute grounds to deny, suspend, or revoke a license, registration, or certificate under this Chapter, the licensee, trainee, registrant, or certificate holder shall self-report the criminal charge to the Board either in person or by telephone no later than the first business day following the charge. The licensee, trainee, registrant, or certificate holder shall provide a copy of the charging document and a written explanation to the Board within five business days.

(c) If a licensee, trainee, registrant, or certificate holder, or any employee, subcontractor, or any other person providing services on behalf of a licensee, trainee, registrant, or certificate holder discharges a firearm while engaged in the private protective services business, the licensee shall notify the Board either in person or by telephone no later than the first business day following the incident. The licensee shall also file a written report to the Board within five business days of the incident. In the report, the licensee shall state the name of the individual who discharged the firearm, the type of weapon discharged, the location of the incident, the law enforcement agency investigating the incident, the events leading to the discharge of the firearm, and any bodily injuries occurring from the incident. This Rule shall not apply to a weapon that is discharged during a training course that has been approved by the Board.

*History Note: Authority G.S. 74C-5; Eff. February 1, 1995; Transferred and Recodified from 12 NCAC 07D .0112 Eff. July 1, 2015; Readopted Eff. November 1, 2019; Amended Eff. July 1, 2021; Amended Eff. February 1, 2022.*

**14B NCAC 16 .0501 EXPERIENCE REQUIREMENTS FOR A POLYGRAPH LICENSE**

(a) In addition to the requirements of Section .0200 of this Chapter, applicants for a polygraph license shall:

- (1) pass an examination and a performance test administered by a panel of polygraph examiners appointed by an entity designated by the Board;
- (2) successfully complete a course of instruction at any polygraph school approved by the American Polygraph Association, the American Association of Police Polygraphists, or the Board; and
- (3) have either:
  - (A) one year of verifiable polygraph experience; or
  - (B) complete at least six months of training as a holder of a polygraph trainee permit, and have administered no fewer than 50 polygraph examinations; or
- (4) establish to the Board's satisfaction a military occupational specialty and two years of verifiable experience within the past five years in the U.S. Armed Forces performing polygraph examinations.

(b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a polygraph license who is the spouse of an active duty member of the U.S. Armed Forces shall establish to the Board's satisfaction:

- (1) the spouse holds a current license, certification, or registration from another jurisdiction and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's requirements; and

- (2) the spouse has two years of verifiable experience within the past five years performing polygraph examinations.

(c) Applicants for a polygraph license may take the examination required in Subparagraph (a)(1) of this Rule no more than twice within a 12 month period. All portions of the examination must be completed within that 12 month period. Any applicant who fails the polygraph examination four times shall retake the polygraph course of instruction required in Subparagraph (a)(2) of this Rule before taking the polygraph examination again.

(d) Polygraph operators who are duly licensed in another state may perform up to three examinations in this State without being licensed, provided that those examinations are for the purpose of an evaluation of that examiner and the Director has given authorization for this evaluation in advance.

*History Note: Authority G.S. 74C-5; 93B-15.1; Eff. June 1, 1984; Amended Eff. May 1, 2014; October 1, 2013; July 1, 2009; December 1, 1985; Transferred and Recodified from 12 NCAC 07D .0501 Eff. July 1, 2015; Readopted Eff. August 1, 2020; Amended Eff. February 1, 2022.*

**14B NCAC 16 .0807 TRAINING REQUIREMENTS FOR ARMED SECURITY GUARDS**

(a) Applicants for an armed security guard firearm registration permit shall first complete the basic unarmed security guard training course set forth in Rule .0707 of this Chapter.

(b) Private investigator licensees applying for an armed security guard firearm registration permit shall first complete a five-hour training course consisting of the courses set forth in Rule .0707(a)(1) and (2) of this Chapter and all additional training requirements set forth in that Rule.

(c) Applicants for an armed security guard firearm registration permit shall complete a basic training course for armed security guards which consists of at least 20 hours of classroom instruction including:

- (1) legal limitations on the use of handguns and on the powers and authority of an armed security guard, including familiarity with rules and regulations relating to armed security guards (minimum of four hours);
- (2) handgun safety, including range firing procedures (minimum of one hour);
- (3) handgun operation and maintenance (minimum of three hours);
- (4) handgun fundamentals (minimum of eight hours); and
- (5) night firing (minimum of four hours).

Subparagraph (c)(2), "operation" under Subparagraph (c)(3), and Subparagraph (c)(4) of this Rule shall be completed prior to the applicant's participation in range firing.

(d) Applicants for an armed security guard firearm registration permit shall attain a score of at least 80 percent accuracy on a firearms range qualification course adopted by the Board and the Secretary of Public Safety, a copy of which is on file in the Director's office, once in three consecutive attempts. Should a

student fail to attain a score of 80 percent accuracy, the student may be given a second opportunity to qualify once in three consecutive attempts on the course of fire the student did not pass. Failure to qualify after the second series of attempts shall require the student to repeat the entire basic training course for armed security guards. All attempts must take place within 20 days of the completion of the initial 20 hour course. For rifle qualification all shots shall be located on the target.

(e) All armed security guard training required by this Chapter shall be administered by a certified trainer and shall be completed no more than 90 days prior to the date of issuance of the armed security guard firearm registration permit.

(f) All applicants for an armed security guard firearm registration permit shall obtain training under the provisions of this Section using their duty weapon and their duty ammunition or ballistic equivalent ammunition, to include lead-free ammunition that meets the same point of aim, point of impact, and felt recoil of the duty ammunition, for all weapons.

(g) No more than six new or renewal armed security guard applicants per one instructor shall be placed on the firing line at any one time during firearms range training for armed security guards.

(h) Applicants for re-certification of an armed security guard firearm registration permit shall complete a basic recertification training course for armed security guards that consists of at least four hours of classroom instruction and is a review of the requirements set forth in Subparagraphs (c)(1) through (c)(5) of this Rule. The recertification course is valid for 180 days after completion of the course. Applicants for recertification of an armed security guard firearm registration permit shall also complete the requirements of Paragraph (d) of this Rule.

(i) An armed guard registered with one company may be registered with a second company. The registration shall be considered "dual." The registration with the second company shall expire at the same time that the registration expires with the first company. An updated application shall be required to be submitted by the applicant, along with the digital photograph, updated criminal records checks, and a forty dollar (\$40.00) registration fee. If the guard will be carrying a firearm of the same make, model, and caliber, then no additional firearms training shall be required. The licensee shall submit a letter stating the guard will be carrying the same make and model firearm. If the guard will be carrying a firearm of a different make and model, the licensee shall submit a letter to the Board advising of the make, model, and caliber of the firearm the guard will be carrying and the guard shall be required to qualify at the firing range on both the day and night qualification course. The qualification score is valid for 180 days after completion of the course.

(j) To be authorized to carry a standard 12 gauge shotgun in the performance of his or her duties as an armed security guard, an applicant shall complete, in addition to the requirements of Paragraphs (a), (c), and (d) of this Rule, six hours of classroom training that shall include the following:

- (1) legal limitations on the use of shotgun (minimum of one hour);
- (2) shotgun safety, including range firing procedures (minimum of one hour);
- (3) shotgun operation and maintenance (minimum of one hour);

(4) shotgun fundamentals (minimum of two hours); and

(5) night firing (minimum of one hour).

Subparagraph (j)(2), "operation" under Subparagraph (j)(3), and Subparagraph (j)(4) of this Rule shall be completed prior to the applicant's participation in range firing.

(k) An applicant may take the additional shotgun training at a time after the initial training in this Rule. If the shotgun training is completed at a later time, the shotgun certification shall run concurrent with the armed registration permit. In addition to the requirements set forth in Paragraph (j) of this Rule, applicants shall attain a score of at least 80 percent accuracy on a shotgun range qualification course adopted by the Board and the Secretary of Public Safety, a copy of which is on file in the Director's office.

(l) Applicants for shotgun recertification shall complete one hour of classroom training covering the topics set forth in Paragraph (j) of this Rule and shall also complete the requirements of Paragraph (d) of this Rule.

(m) To be authorized to carry a rifle in the performance of his or her duties as an armed security guard, an applicant shall complete, in addition to the requirements of Paragraphs (a), (c), and (d) of this Rule, 16 hours of classroom training which shall include the following:

- (1) legal limitations on the use of rifles (minimum of one hour);
- (2) rifle safety, including range firing procedures (minimum of one hour);
- (3) rifle operation and maintenance (minimum of two hours);
- (4) rifle fundamentals (minimum of ten hours); and
- (5) night firing (minimum two hours).

Subparagraph (m)(2), "operation" under Subparagraph (m)(3), and Subparagraph (m)(4) of this Rule shall be completed prior to the applicant's participation in range firing.

(n) The applicant shall pass a skills course that tests each basic rifle skill and the test of each skill shall be completed within three attempts.

(o) An applicant may take the additional rifle training at a time after the initial training in this Rule. If the rifle training is completed at a later time, the rifle certification shall run concurrent with the armed registration permit. In addition to the requirements set forth in Paragraphs (m) and (n) of this Rule, applicants shall attain a score of at least 80 percent accuracy on a rifle range qualification course adopted by the Board and the Secretary of Public Safety, a copy of which is on file in the Director's office.

(p) Applicants for rifle recertification shall complete an additional one hour of classroom training covering the topics set forth in Paragraph (m) of this Rule and shall also complete the requirements of Paragraph (d) of this Rule.

(q) Upon written request, an applicant for an armed security guard firearm registration permit who possesses a current firearms trainer certificate shall be given a firearms registration permit that will run concurrent with the trainer certificate upon completion of an annual qualification with the applicant's duty firearms as set forth in Paragraph (d) of this Rule.

(r) An armed security guard is required to qualify annually both for day and night firing with his or her duty handgun, shotgun, and rifle, if applicable. If the security guard fails to qualify on any



course of fire, the security guard shall not carry the firearm until such time as he or she meets the qualification requirements. Upon failure to qualify, the firearm instructor shall notify the security guard that he or she is no longer authorized to carry the firearm and the firearm instructor shall notify the employer and the Private Protective Services Board staff on the next business day.

(s) A firearm training certificate of an armed security guard remains valid even if the guard leaves the employment of one company for the employment of another. The range qualifications shall remain valid if the guard will be carrying a firearm of the same make, model, and caliber and no additional firearms training shall be required. The licensee shall submit a letter stating the guard will be carrying the same make and model firearm. If the guard will be carrying a firearm of a different make and model, the licensee shall submit a letter to the Board advising of the make, model, and caliber of the firearm the guard will be carrying and the guard shall be required to qualify at the firing range on both the day and night qualification course. The qualification score is valid for 180 days after completion of the course. However, nothing herein shall extend the period of time the qualification is valid.

*History Note: Authority G.S. 74C-5; 74C-9; 74C-13; Eff. June 1, 1984; Amended Eff. November 1, 1991; February 1, 1990; July 1, 1987; Temporary Amendment Eff. January 14, 2002; Amended Eff. October 1, 2013; October 1, 2010; June 1, 2009; February 1, 2006; August 1, 2002; Transferred and Recodified from 12 NCAC 07D .0807 Eff. July 1, 2015; Amended Eff. January 1, 2018; February 1, 2016; October 1, 2015; Readopted Eff. November 1, 2019; Amended Eff. February 1, 2022.*

**14B NCAC 16 .0903 FEES FOR TRAINER CERTIFICATE**

(a) Trainer certificate fees are as follows:

- (1) fifty-dollar (\$50.00) non-refundable initial application fee for firearms trainer applicants;
- (2) fifty-dollar (\$50.00) non-refundable initial application fee for an unarmed trainer applicant; and
- (3) twenty-five dollar (\$25.00) biennial fee for a renewal or replacement trainer certificate.

(b) Fees shall be paid online by credit card or other form of electronic funds transfer.

*History Note: Authority G.S. 74C-9; Eff. June 1, 1984; Amended Eff. January 1, 2005; January 1, 2004; Transferred and Recodified from 12 NCAC 07D .0903 Eff. July 1, 2015; Amended Eff. January 1, 2018; Readopted Eff. March 1, 2020; Amended Eff. February 1, 2022.*

**14B NCAC 16 .1203 ACCREDITATION STANDARDS**

(a) CE courses may obtain the approval of the Board by submitting the following information to the Board for consideration:

- (1) the nature and purpose of the course;
- (2) the course objectives or goals;
- (3) the outline of the course, including the number of training hours for each segment; and
- (4) the name of the instructor.

(b) To determine if a course will receive approval from the Board, the Board shall complete the following review:

- (1) The matter shall be referred to the Training and Education Committee for the appointment of a sub-committee that shall review the course under consideration. The sub-committee shall consist of at least two industry members of the Training and Education Committee. Other members of the sub-committee may be appointed at the discretion of the Training and Education Committee Chairman.
- (2) The sub-committee shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives or goals.
- (3) When the sub-committee completes its review, it shall report to the Training and Education Committee. The Training and Education Committee shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives and goals. The Training and Education Committee shall then report the findings with a recommendation of acceptance or denial to the Private Protective Services Board.

(c) Upon receipt of the Training and Education Committee report, the Private Protective Services Board shall determine by majority vote if the course will be approved for continuing education credits. In making its determination, the Board shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives or goals.

(d) Each approved course shall remain an approved course for four years from the date of approval by the Board, unless the course content changes or the course instructor changes.

(e) Trainers and instructors shall receive continuing education credit of five hours for every actual teaching hour with an eight hour cap of continuing education credit every two years.

(f) Colleges, universities, trade schools, and other degree granting institutions shall be granted standing approval when the institutions are accredited, certified, or approved by the Department of Public Instruction or by a similar agency in another state and the course is related to law, criminal justice, security profession, finance, ethics, forensics, crime prevention, and investigation. Approval is one credit hour per contact hour not to exceed eight credit hours.

*History Note: Authority G.S. 74C-5; 74C-22; Eff. February 1, 2010; Amended Eff. October 1, 2011;*

*Transferred and Recodified from 12 NCAC 07D .1303 Eff. July 1, 2015;*  
*Emergency Amendment Eff. May 6, 2020;*  
*Readopted Eff. July 1, 2020;*  
*Temporary Amendment Eff. July 24, 2020;*  
*Temporary Amendment Expired Eff. May 14, 2021;*  
*Amended Eff. February 1, 2022; January 1, 2022; July 1, 2021.*

**TITLE 15A - DEPARTMENT OF ENVIRONMENTAL QUALITY**

**15A NCAC 10B .0102 IMPORTATION OF GRAY FOXES**

The importation of gray foxes into Anson, Avery, Burke, Cabarrus, Caldwell, Catawba, Cleveland, Davidson, Gaston, Lincoln, McDowell, Mecklenburg, Mitchell, Montgomery, Moore, Richmond, Rowan, Rutherford, Stanly, Union and Yancey Counties is prohibited.

*History Note: Authority G.S. 113-134; 113-274; 113-291.3; 113-291.4;*  
*Eff. February 1, 1976;*  
*Readopted Eff. February 1, 2022.*

**15A NCAC 10B .0115 SHINING LIGHTS IN DEER AREAS**

(a) Intentionally shining a light upon a deer or sweeping a light in search of deer between the hours of 11:00 p.m. and one-half hour before sunrise is prohibited in the following counties:

- (1) Beaufort;
- (2) Bladen;
- (3) Brunswick;
- (4) Camden;
- (5) Chowan;
- (6) Currituck;
- (7) Duplin;
- (8) Franklin;
- (9) Gates;
- (10) Greene;
- (11) Hertford;
- (12) Hyde;
- (13) Jones;
- (14) Lenoir;
- (15) Martin;
- (16) Nash;
- (17) Pamlico;
- (18) Pasquotank;
- (19) Pender;
- (20) Perquimans;
- (21) Pitt;
- (22) Sampson;
- (23) Tyrrell;
- (24) Vance;
- (25) Wake;
- (26) Warren;
- (27) Washington; and
- (28) Wayne.

(b) Intentionally shining a light upon a deer or sweeping a light in search of deer between the hours of one-half hour after sunset and one-half hour before sunrise is prohibited in the following counties or portions thereof:

- (1) Alamance;
- (2) Alexander;
- (3) Alleghany;
- (4) Anson;
- (5) Ashe;
- (6) Avery; -- that portion south and east of Highway 221;
- (7) Buncombe;
- (8) Burke;
- (9) Cabarrus;
- (10) Caswell;
- (11) Catawba;
- (12) Chatham;
- (13) Cherokee;
- (14) Clay;
- (15) Cleveland;
- (16) Cumberland;
- (17) Davidson;
- (18) Davie;
- (19) Durham;
- (20) Edgecombe;
- (21) Forsyth;
- (22) Gaston;
- (23) Granville;
- (24) Guilford;
- (25) Halifax;
- (26) Harnett;
- (27) Henderson;
- (28) Hoke;
- (29) Iredell;
- (30) Johnston;
- (31) Lee;
- (32) Lincoln;
- (33) Macon;
- (34) McDowell;
- (35) Mecklenburg;
- (36) Mitchell;
- (37) Montgomery;
- (38) Northampton;
- (39) Orange;
- (40) Person;
- (41) Polk;
- (42) Randolph;
- (43) Robeson;
- (44) Rockingham;
- (45) Rowan;
- (46) Rutherford;
- (47) Stanly;
- (48) Stokes;
- (49) Surry;
- (50) Swain;
- (51) Transylvania;
- (52) Union;
- (53) Watauga; and
- (54) Yancey.

3.

**07 NCAC 13B .1101 COMMERCIAL ENTERPRISES**

Only park employees, contractors, or their agents may engage in business or conduct commercial activity in a park, unless authorized by a permit as provided by Rule .0104 of this Subchapter.

*History Note: Authority G.S. 143B-135.16;*  
*Eff. February 1, 1976;*  
*Amended Eff. May 1, 2010; October 1, 1984; January 1, 1983;*  
*Transferred from 15A NCAC 12B .1101 Eff. April 1, 2017;*  
*Readopted Eff. March 1, 2022.*

**07 NCAC 13B .1102 COMMERCIAL PHOTOGRAPHY, FILMING AND RECORDING**

A person shall not photograph, film, or make other recordings within any park for commercial purposes unless the person has a Special Activity Permit. Applications for permits may be made as provided by Rule .0104 of this Subchapter.

*History Note: Authority G.S. 143B-135.16;*  
*Eff. February 1, 1976;*  
*Amended Eff. October 1, 1984; January 1, 1983;*  
*Transferred from 15A NCAC 12B .1102 Eff. April 1, 2017;*  
*Readopted Eff. March 1, 2022.*

**07 NCAC 13B .1105 PUBLIC ASSEMBLIES AND MEETINGS; SPECIAL ACTIVITY PERMIT**

*History Note: Authority G.S. 143B-135.16;*  
*Eff. February 1, 1976;*  
*Amended Eff. May 1, 2010; October 1, 1984; January 1, 1983;*  
*Transferred from 15A NCAC 12B .1105 Eff. April 1, 2017;*  
*Repealed Eff. March 1, 2022.*

**07 NCAC 13B .1201 CLOSING AND OPENING HOURS; RESTRICTED AREAS**

(a) No person is allowed on any Division property between posted closing and opening hours except under a Special Activity Permit or camping reservation, as provided by Rule .0104 and .0602, respectively, of this Subchapter.

(b) The Division may prohibit or restrict public activity within designated environmentally sensitive areas, areas exceeding capacity levels, construction areas, storm damaged areas, and other similar locations for natural resource protection and public safety.

*History Note: Authority G.S. 143B-135.16;*  
*Eff. February 1, 1976;*  
*Amended Eff. May 1, 2010; October 1, 1984; January 1, 1983;*  
*April 4, 1979;*  
*Transferred from 15A NCAC 12B .1201 Eff. April 1, 2017;*  
*Amended Eff. March 1, 2022.*

**07 NCAC 13B .1204 AVIATION**

Except under authorization of a Special Activity or Special Use Permit, as outlined in Rule .0104 of this Subchapter, a person shall not voluntarily bring, land, or cause to descend or alight, ascend, or take off within or upon any Division property, any airplane, flying machine, unmanned aerial vehicle (UAV) or drones,

balloon, parachute, glider, hang glider, or other apparatus. In this Rule, "voluntarily" shall mean anything other than a forced landing.

Requests for permits shall be made in the manner prescribed by Rule .0104 of this Subchapter.

*History Note: Authority G.S. 143B-135.16;*  
*Eff. February 1, 1976;*  
*Amended Eff. October 1, 1984; January 1, 1983;*  
*Transferred from 15A NCAC 12B .1204 Eff. April 1, 2017;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018;*  
*Amended Eff. March 1, 2022.*

**07 NCAC 13B .1205 RESERVATIONS**

(a) Reservations for camping, cabins, shelters, community buildings, and other reservable facilities shall be made using the Division's central reservation system, pursuant to any contract terms or conditions as set forth in the system at the time of reservation. Reservations are non-transferable and the individual who made the reservation must be present during the reservation period. Reservation confirmation or issued permits must be displayed or produced upon request by Division staff.

(b) Reservations for park facilities on Division property shall be accepted up to a maximum of 11 months in advance of the requested arrival date.

(c) Payment for a reservation must be made at the time the reservation is made.

*History Note: Authority G.S. 143B-135.16;*  
*Eff. February 1, 1976;*  
*Amended Eff. May 1, 2010; October 1, 1984; January 1, 1983;*  
*February 15, 1981;*  
*Transferred from 15A NCAC 12B .1205 Eff. April 1, 2017;*  
*Readopted Eff. March 1, 2022.*

**TITLE 14B - DEPARTMENT OF PUBLIC SAFETY****14B NCAC 16 .0103 DEFINITIONS**

In addition to the definitions set forth in G.S. 74C, the following definitions shall apply throughout this Subchapter:

- (1) "Agency Head" means the Chairman of the Board.
- (2) "Applicant" means any person, firm, or corporation applying to the Board for a license, trainee permit, registration, or firearms trainer certificate.
- (3) "Armed Private Security Guard" means an individual employed, full time or part time, by a contract security company or a proprietary security organization:
  - (a) who at any time wears, carries, or possesses a firearm in the performance of his or her duties; and
  - (b) whose principal duty is that of:
    - (i) an armed security guard, officer, patrol, or watchman;

- (ii) an armed armored car service guard;
  - (iii) a private detective; or
  - (iv) an armed courier service guard.
- (4) "Board" means the Private Protective Services Board established by G.S. 74C.
  - (5) "Branch Manager or Operator" means the individual endowed with the responsibility and liability for a branch office.
  - (6) "Branch Office" means a separate but dependent part of a central organization engaged in the business of providing private protective services established for the purpose of extending the activities of the central organization. The establishment of a telephone number or mailing address in the company name constitutes prima facie evidence of a branch office. If an out-of-state person, firm, association, or corporation opens an office in North Carolina, the North Carolina office shall be deemed the principal place of business and shall have a resident licensed qualifying agent.
  - (7) "Chairman" means the Chairman of the Private Protective Services Board.
  - (8) "Contract Security Company" means any person, firm, association, or corporation engaging in a private protective services business as defined in G.S. 74C-3 that provides the services on a contractual basis for a fee or other valuable consideration to any other person, firm, association, or corporation.
  - (9) "Direct Supervision" means personal, face-to-face contact and direction of the trainee's activities on a frequent and reasonable basis based upon the trainee's level of experience.
  - (10) "Investigative Capacity" means any law enforcement agency position for which the duties include conducting investigations and interviews, completing reports, and testifying in courts, administrative hearings, or military tribunals.
  - (11) "Law Enforcement Officer" means a sworn peace officer who has the power of arrest, and who is an employee of the United States, any state, or any political subdivision of a state.
  - (12) "Licensee" means any person licensed to perform private protective services in North Carolina in accordance with G.S. 74C.
  - (13) "Proprietary Security Organization" means any person, firm, association, corporation, or department that employs watchmen, security guards or "officers," patrol personnel, or couriers in connection with the business affairs of the employer.
  - (14) "Qualifying Agent" means the individual licensee who is responsible for the private protective services business. If the licensee maintains an office in North Carolina, the

Qualifying Agent must be a resident of North Carolina.

- (15) "Registered agent" means the individual resident of North Carolina designated by the business entity in lieu of the Qualifying Agent as allowed by G.S. 74C-8(c)(1) who may be, but is not required to be, the registered agent required by G.S. 55D-30.
- (16) "Restored" means that an individual is no longer in need of psychiatric care as determined by a physician.
- (17) "Temporary unarmed security guard" means an individual who is hired for a period of 30 days or less within a calendar year and who is designated by his or her employer as a temporary security guard at the start of employment.

*History Note: Authority G.S. 74C-3; 74C-5; 74C-8; Eff. June 1, 1984; Amended Eff. October 1, 2013; August 1, 1998; May 1, 1988; July 1, 1987; Transferred and Recodified from 12 NCAC 07D .0104 Eff. July 1, 2015; Readopted Eff. August 1, 2020; Amended Eff. March 1, 2022.*

**14B NCAC 16 .0115 COMPLAINTS**

- (a) Any person may file a complaint against any licensee, trainee, registrant or certificate holder, or any unlicensed or unregistered person; acting as or holding himself or herself out as a licensee or registrant, for any violation of G.S. 74C or 14B NCAC 16, or any violation of State or federal criminal law. A complaint form is available on the Board's website at [www.ncdps.gov/dps-services/complaint/private-protective-services-board](http://www.ncdps.gov/dps-services/complaint/private-protective-services-board) or a copy may be requested from the Board's office.
- (b) The complaint shall set forth all relevant facts and the basis for the complainant's belief that the licensee, trainee, registrant, certificate holder, or unlicensed or unregistered person, is in violation. The complainant shall be willing to be interviewed by the Board's investigator, provide any information or documentation to support the allegation, and appear and testify necessary before the Grievance Committee or at any hearing if requested by the attorney prosecuting the case. An anonymous complaint shall be accepted unless the Director determines that it is meritless on its face.
- (c) The complaint shall be filed with the Board online via e-mail, by U.S. Mail, or by hand-delivery to the Board's office.
- (d) The complaint shall be evaluated by the Director or the Director's designee and if it alleges a violation of G.S. 74C or 14B NCAC 16, shall be assigned to an investigator for further substantiation. The results of the investigation shall be reported to the Board's Grievance Committee for review and action.
- (e) The Director shall notify the complainant and the licensee, trainee, registrant, or certificate holder of the initial complaint and its final disposition.

*History Note: Authority G.S. 74C-5; 74C-6; 74C-7; 74C-12; Eff. March 1, 2022.*

4.

No fiscal note required

TITLE 14B – DEPARTMENT OF PUBLIC SAFETY

CHAPTER 16 - PRIVATE PROTECTIVE SERVICES BOARD

Notice is hereby given in accordance with G.S. 150B-21.2 that the Private Protective Services Board intends to amend the rules cited as 14B NCAC 16 .0201, .0203, .0404, .0706, .0806, .0904, .0911, .1306 and .1406.

SECTION .0200 - LICENSES: TRAINEE PERMITS

Link to agency website pursuant to G.S. 150B-19.1(c): <https://www.ncdps.gov/about-dps/boards-commissions/private-protective-services-board>

14B NCAC 16 .0201 APPLICATION FOR LICENSE AND TRAINEE PERMITS

Proposed Effective Date: June 1, 2022

(a) Each applicant for a license or trainee permit shall submit an online application on the website provided by the Board. The online application shall be accompanied by:

Public Hearing:

Date: February 22, 2022

Time: 2:00 p.m.

Location: 3101 Industrial Dr., Suite 104, Raleigh, NC 27609

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (2) one head and shoulders digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (3) upload online a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the applicant's non-refundable application fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;
- (5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board; and
- (6) an Equifax credit check run within 30 days of the license application submission date, which will be submitted to the Board's investigator during the application process; and
- (7) five letters attesting to the good character and reputation of the applicant using the online character letter submission process.

Reason for Proposed Action: One rule amendment establishes a new procedure to allow character letters to be submitted electronically; a second amendment requires a Private Investigator to have proof that a requested written report was provided to a client; a third amendment repeals an antiquated provision requiring payment of a fee for a criminal history record check for renewal of a firearms trainer certificate; further, all renewed rules (i.e., .0203, .0706, .0806, .0904, .0911, .1306 and .1406) are amended to allow Board staff to hold a renewal application if there is a deniable criminal charge pending.

Comments may be submitted to: Paul Sherwin, 3101 Industrial Dr., Suite 4, Raleigh, NC 27609; phone (919)788-5320; email Paul.sherwin@ncdps.gov

Comment period ends: April 4, 2022

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

(b) Applications for trainee permits shall be accompanied by a notarized statement on a form provided by the Board and signed by the applicant and his or her prospective supervisor, stating that the trainee applicant shall at all times work with and under the direct supervision of that supervisor and the form shall be uploaded as part of the online application process.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

(c) Private investigator trainees applying for a license shall make available for inspection a log of experience on a form provided by the Board.

- State funds affected
- Local funds affected
- Substantial economic impact (>= \$1,000,000)
- Approved by OSBM

(d) Each applicant must upload evidence of high school graduation either by diploma, G.E.D. certificate, or other proof.

(e) Each applicant for a license shall meet personally with a Board investigator, the Screening Committee, the Director, or another

Board representative designated by the Director prior to being issued a license. The applicant shall discuss the provisions of G.S. 74C and the administrative rules in this Chapter during the personal meeting. The applicant shall sign a form provided by the Board indicating that he or she has reviewed G.S. 74C and the administrative rules in this Chapter with the Board's representative.

*Authority G.S. 74C-2; 74C-5; 74C-8; 74C-8.1; 74C-12.*

**14B NCAC 16 .0203 RENEWAL OR RE-ISSUE OF LICENSES AND TRAINEE PERMITS**

(a) Each applicant for renewal of a license or trainee permit shall submit an online renewal application on the website provided by the Board. This online application shall be submitted not less than 30 days prior to expiration of the applicant's current license or trainee permit and shall be accompanied by:

- (1) one head and shoulders digital color photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (2) upload online a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 24 months;
- (3) the applicant's renewal fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee; and
- (4) for license applicants, proof of liability insurance as set out in G.S. 74C-10(e).

(b) If a licensee has maintained a license at least two years and then allows the license to expire, the license may be re-issued if application is made within three years of the expiration date and the following documentation is submitted to the Board:

- (1) an online Application For Reinstatement of an Expired License;
- (2) one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (3) one head and shoulders digital color photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (4) upload online a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (5) the applicant's non-refundable application fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;

- (6) proof of liability insurance as set out in G.S. 74C-10(e); and
- (7) payment to the State Bureau of Investigations to cover the cost of criminal record checks performed by the State Bureau of Investigations, with payment to be paid online through the Board's online application process.

(c) A member of the armed forces whose license is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the license renewal fee and complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

*Authority G.S. 74C-5; 74C-8; 74C-8.1; 74C-9.*

**SECTION .0400 - PRIVATE INVESTIGATOR:  
ELECTRONIC COUNTERMEASURES**

**14B NCAC 16 .0404 REPORTS**

(a) In addition to the requirements in G.S. 74C-12(a)(20), private investigators shall make and offer to each client a written report containing the findings and details of the investigation within 30 days after the completion of the investigation for which the client has paid the investigator for the services. The licensee shall retain a copy of the written ~~report~~ report, and if provided to the client, proof of such delivery.

(b) Descriptive reports, chronological reports, cover letters, and itemized invoices to the client shall be personally signed by a licensee. The file copy shall reflect the names of all participating employees and a description of the work performed by each one. These documents shall be retained by the licensee who signed the report.

*Authority G.S. 74C-5.*

**SECTION .0700 - SECURITY GUARD REGISTRATION  
(UNARMED)**

**14B NCAC 16 .0706 RENEWAL OF UNARMED SECURITY GUARD REGISTRATION**

(a) Each applicant for renewal of a registration identification card or his or her employer shall complete an online form on the website provided by the Board. This online form shall be submitted not fewer than 90 days prior to the expiration of the applicant's current registration and shall be accompanied by:

- (1) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (2) upload online a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state

where the applicant has resided within the preceding 12 months;

- (3) the applicant's renewal fee, along with the four dollar (\$4.00) convenience fee and credit card transaction fee; and
- (4) upload a completed affidavit form and public notice statement form.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated. The deadline for completion of any requirement mandated by the Board's law and rules, such as continuing education or firearms re-qualification, will be stayed during the period of deferral.

~~(b)(c)~~ The employer of each applicant for a registration renewal shall give the applicant a copy of the online application and a copy of the completed affidavit form to serve as a record of application for renewal and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.

~~(e)(d)~~ Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

Authority G.S. 74C-5; 74C-11.

**SECTION .0800 - ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

**14B NCAC 16 .0806 RENEWAL OF ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

(a) Each applicant for renewal of an armed security guard firearm registration permit identification card or his or her employer shall complete an online form on the website provided by the Board. This online form shall be submitted not more than 90 days prior to expiration of the applicant's current armed registration and shall be accompanied by:

- (1) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (2) upload online a statement of the results of a statewide criminal history search obtained by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 12 months;
- (3) the applicant's renewal fee, along with the four dollar (\$4.00) convenience fee and credit card transaction fee;
- (4) the actual cost charged to the Private Protective Services Board by the State Bureau of

Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

- (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of this Section; and
- (6) a completed affidavit form and public notice statement form.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated. The deadline for completion of any requirement mandated by the Board's law and rules, such as continuing education or firearms re-qualification, will be stayed during the period of deferral.

~~(b)(c)~~ The employer of each applicant for a registration renewal shall give the applicant a copy of the online application and a copy of the completed affidavit form to serve as a record of application for renewal and shall retain a copy of the application, including affidavit in the guard's personnel file in the employer's office.

~~(e)(d)~~ Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

~~(d)(e)~~ A registered armed security guard may utilize a dedicated light system or gun-mounted light for requalification.

~~(e)(f)~~ During a national or State declared state of emergency that restricts or prohibits a registered armed security guard from requalifying, the Board shall, upon written request to the Director, extend the deadline for requalification up to 60 days beyond the effective period of the state of emergency. Any registration renewed pursuant to this Paragraph shall be issued conditionally and shall automatically expire on the 60<sup>th</sup> day if requalification requirements have not been met.

Authority G.S. 74C-5; 74C-13.

**SECTION .0900 – TRAINER CERTIFICATE**

**14B NCAC 16 .0904 RENEWAL OF A FIREARMS TRAINER CERTIFICATE**

(a) Each applicant for renewal of a firearms trainer certificate shall complete an online renewal form on the website provided by the Board. This form shall be submitted online not less than 30 days prior to the expiration of the applicant's current certificate and shall be accompanied by:

- (1) uploaded online a certificate of successful completion of a firearms trainer refresher course approved by the Board and the Secretary of Public Safety consisting of a minimum of eight hours of classroom and practical range training in safety and maintenance of the applicable firearm (i.e. handgun, shotgun, or

- (2) rifle), range operations, control and safety procedures, and methods of firing. This training shall be completed within 180 days of the submission of the renewal application;
- (2) uploaded online a statement of the results of a criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 48 24 months;
- (3) the applicant's renewal fee, along with the four dollar (\$4.00) convenience fee and credit card transaction fee; and
- (4) ~~the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board.~~

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated. The deadline for completion of any requirement mandated by the Board's law and rules, such as continuing education or firearms re-qualification, will be stayed during the period of deferral.

~~(b)(c)~~ Members of the armed forces whose certification is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the certification renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

~~(e)(d)~~ Any firearms trainer who fails to qualify with the minimum score during the refresher course shall not continue to instruct during the period between the failure to qualify and the expiration of his or her permit.

~~(d)(e)~~ The holder of a firearms trainer certificate may utilize a dedicated light system or gun mounted light for personal requalification.

~~(e)(f)~~ During a national or State declared state of emergency that restricts or prohibits a registered armed security guard from requalifying, the Board shall, upon written request to the Director, extend the deadline for requalification up to 60 days beyond the effective period of the state of emergency. Any registration renewed pursuant to this Paragraph shall be issued conditionally and shall automatically expire on the 60<sup>th</sup> day if requalification requirements have not been met.

*Authority G.S. 74C-5; 74C-8.1(a); 74C-13.*

**14B NCAC 16 .0911 RENEWAL OF AN UNARMED TRAINER CERTIFICATE**

(a) Each applicant for renewal of an unarmed trainer certificate shall complete an online renewal form on the website provided by the Board. This form shall be submitted online not less than 30 days prior to the expiration of the applicant's current certificate. In addition, the applicant shall include the following:

- (1) the renewal fee set forth in Rule .0903(a)(3) of this Section and collected online as part of the application process;
- (2) a certificate of completion of a minimum of 16 hours of Board developed armed or unarmed instruction performed during the current unarmed trainer certification period; ~~and~~
- (3) a statement verifying the classes taught during the current unarmed trainer certification period on a form provided by the Board as part of the online application ~~process.~~ process; and
- (4) uploaded online a statement of the results of a criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 24 months.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated. The deadline for completion of any requirement mandated by the Board's law and rules, such as continuing education or firearms re-qualification, will be stayed during the period of deferral.

~~(b)(c)~~ Members of the armed forces whose certification is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return are granted that same extension of time to pay the certification renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue must be furnished to the Board.

*Authority G.S. 74C-8; 74C-9; 74C-11; 74C-13.*

**SECTION .1300 – ARMORED CAR SERVICE GUARD REGISTRATION (UNARMED)**

**14B NCAC 16 .1306 RENEWAL OR REISSUE OF UNARMED ARMORED CAR SERVICE GUARD REGISTRATION**

(a) Each applicant for renewal of an unarmed armored car service guard registration identification card or his or her employer shall complete an online form provided by the Board. This online form shall be submitted not fewer than 90 days prior to the expiration of the applicant's current registration and shall be accompanied by:

- (1) upload online a statement of the results of a statewide criminal history records search obtained from the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 12 months;
- (2) the applicant's renewal fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee.
- (3) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken



- within six months prior to online application and submitted by uploading the photograph online with application submission; and
- (4) a completed affidavit form and public notice statement form.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated. The deadline for completion of any requirement mandated by the Board's law and rules, such as continuing education or firearms re-qualification, will be stayed during the period of deferral.

~~(b)(c)~~ The employer of each applicant for a registration renewal or reissue shall give the applicant a copy of the online application, including the completed affidavit form, that shall serve as a record of application for renewal or reissue and shall retain a copy of the online application and affidavit in the guard's personnel file in the employer's office.

~~(e)(d)~~ Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

*Authority G.S. 74C-3; 74C-5; 78C-8.1(a).*

**SECTION .1400 - ARMED ARMORED CAR SERVICE GUARDS FIREARM REGISTRATION PERMIT**

**14B NCAC 16 .1406 RENEWAL OF ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT**

(a) Each applicant for renewal of an armed armored car service guard firearm registration permit identification card his or her employer or designee shall complete an online form provided by the Board. This online form shall be submitted not more than 90 days nor fewer than 30 days prior to expiration of the applicant's current armed registration and shall be accompanied by:

- (1) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (2) upload online a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 12 months;
- (3) the applicant's renewal fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;
- (4) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal

record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

- (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of the Section; and
- (6) a completed affidavit form and public notice statement form.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated. The deadline for completion of any requirement mandated by the Board's law and rules, such as continuing education or firearms re-qualification, will be stayed during the period of deferral.

~~(b)(c)~~ The employer of each applicant for a registration renewal shall give the applicant a copy of the online application and completed application, including the completed affidavit form, to serve as a record of application for renewal and shall retain a copy of the online application and affidavit in the guard's personnel file in the employer's office.

~~(e)(d)~~ Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

*Authority G.S. 74C-3; 74C-5; 74C-8.1(a); 74C-13.*

**TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS**

**CHAPTER 02 – BOARD OF ARCHITECTURE AND REGISTERED INTERIOR DESIGNERS**

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Architecture and Registered Interior Designers intends to adopt the rule cited as 21 NCAC 02 .0306, amend the rules cited as 21 NCAC 02 .0106, .0108, .0109, .0201, .0203-.0206, .0210, .0213-.0215, .0217, .0302, .0303, .0901, .0903-.0910, and repeal the rules cited as 21 NCAC 02 .0102, .0202, .0208, .0209, .0212 and .0218.*

*Pursuant to G.S. 150B-21.17, the Codifier has determined it impractical to publish the text of rules proposed for repeal unless the agency requests otherwise. The text of the rule(s) are available on the OAH website at <http://reports.oah.state.nc.us/ncac.asp>.*

**Link to agency website pursuant to G.S. 150B-19.1(c):** [www.ncbarch.org](http://www.ncbarch.org)

**Proposed Effective Date:** June 1, 2022

- (5) Scenario Based Training Deployment 1 Hour
- (6) Scenario Development – Computer Room 3 Hour
- (7) Practical Exercises 9 Hours
- (8) Scenario De Briefs 1 Hour
- (9) Video Review 3 Hours
- (10) Post Testing and Course Closing 1 Hour

(e) The "Specialized Rapid Deployment Instructor Training Manual" published by the North Carolina Justice Academy shall be the curriculum for the Specialized Firearms Instructor Training course. Copies of this publication may be inspected at the:

Criminal Justice Standards Division  
North Carolina Department of Justice  
1700 Tryon Park Drive  
Post Office Drawer 149  
Raleigh, North Carolina 27610

and may be obtained at the cost of printing and postage from the Academy at the following address:  
North Carolina Justice Academy  
Post Office Box 99  
Salemburg, North Carolina 28385

Authority G.S. 17C-6.

**Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

**Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.**

- State funds affected
- Local funds affected
- Substantial economic impact (>= \$1,000,000)
- Approved by OSBM
- No fiscal note required

**TITLE 14B – DEPARTMENT OF PUBLIC SAFETY**

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Private Protective Services Board intends to amend the rules cited as 14B NCAC 16 .0806, .0904, and .0911.*

Link to agency website pursuant to G.S. 150B-19.1(c):  
<https://www.ncdps.gov/dps-services/permits-licenses/private-protective-services-board>

**Proposed Effective Date:** August 1, 2022

**Public Hearing:**

**Date:** April 26, 2022

**Time:** 2:00 p.m.

**Location:** 3101 Industrial Dr., Suite 104, Raleigh, NC 27609

**Reason for Proposed Action:** *The Board adopted first emergency, then temporary and finally permanent rule amendments to extend renewal deadlines for firearm registration permits and firearm trainer certificates during times of a declared state of emergency and is now amending the rule to afford the same extension for an unarmed trainer certificate. Further, the period of time for extension is being increased from 60 to 90 days. Note: The changes to 14B NCAC 16 .0911(a)(2), (3) and new (4), and new (b) are currently pending in the rulemaking process.*

**Comments may be submitted to:** Paul Sherwin, 3101 Industrial Dr., Suite 4, Raleigh, NC 27609; phone (919) 788-5320; fax (919) 715-0370; email Paul.sherwin@ncdps.gov

**Comment period ends:** May 31, 2022

**CHAPTER 16 - PRIVATE PROTECTIVE SERVICES BOARD**

**SECTION .0800 - ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

**14B NCAC 16 .0806 RENEWAL OF ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

(a) Each applicant for renewal of an armed security guard firearm registration permit identification card or his or her employer shall complete an online form on the website provided by the Board. This online form shall be submitted not more than 90 days prior to expiration of the applicant's current armed registration and shall be accompanied by:

- (1) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (2) upload online a statement of the results of a statewide criminal history search obtained by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 12 months;
- (3) the applicant's renewal fee, along with the four dollar (\$4.00) convenience fee and credit card transaction fee;
- (4) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of

Investigation, collected online by the Private Protective Services Board;

- (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of this Section; and
- (6) a completed affidavit form and public notice statement form.

(b) The employer of each applicant for a registration renewal shall give the applicant a copy of the online application and a copy of the completed affidavit form to serve as a record of application for renewal and shall retain a copy of the application, including affidavit in the guard's personnel file in the employer's office.

(c) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

(d) A registered armed security guard may utilize a dedicated light system or gun-mounted light for requalification.

(e) During a national or State declared state of emergency that restricts or prohibits a registered armed security guard from requalifying, the Board shall, upon written request to the Director, extend the deadline for requalification up to ~~60~~ 90 days beyond the effective period of the state of emergency. Any registration renewed pursuant to this Paragraph shall be issued conditionally and shall automatically expire on the ~~60<sup>th</sup>~~ 90<sup>th</sup> day if requalification requirements have not been met.

Authority G.S. 74C-5; 74C-13.

**SECTION .0900 – TRAINER CERTIFICATE**

**14B NCAC 16 .0904 RENEWAL OF A FIREARMS TRAINER CERTIFICATE**

(a) Each applicant for renewal of a firearms trainer certificate shall complete an online renewal form on the website provided by the Board. This form shall be submitted online not less than 30 days prior to the expiration of the applicant's current certificate and shall be accompanied by:

- (1) uploaded online a certificate of successful completion of a firearms trainer refresher course approved by the Board and the Secretary of Public Safety consisting of a minimum of eight hours of classroom and practical range training in safety and maintenance of the applicable firearm (i.e. handgun, shotgun, or rifle), range operations, control and safety procedures, and methods of firing. This training shall be completed within 180 days of the submission of the renewal application;
- (2) uploaded online a statement of the results of a criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the

applicant has resided within the preceding 48 months;

- (3) the applicant's renewal fee, along with the four dollar (\$4.00) convenience fee and credit card transaction fee; and
- (4) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board.

(b) Members of the armed forces whose certification is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the certification renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

(c) Any firearms trainer who fails to qualify with the minimum score during the refresher course shall not continue to instruct during the period between the failure to qualify and the expiration of his or her permit.

(d) The holder of a firearms trainer certificate may utilize a dedicated light system or gun mounted light for personal requalification.

(e) During a national or State declared state of emergency that restricts or prohibits a certified firearms trainer from requalifying, the Board shall, upon written request to the Director, extend the deadline for requalification up to ~~60~~ 90 days beyond the effective period of the state of emergency. Any certificate renewed pursuant to this Paragraph shall be issued conditionally and shall automatically expire on the ~~60<sup>th</sup>~~ 90<sup>th</sup> day if requalification requirements have not been met.

Authority G.S. 74C-5; 74C-8.1(a); 74C-13.

**14B NCAC 16 .0911 RENEWAL OF AN UNARMED TRAINER CERTIFICATE**

(a) Each applicant for renewal of an unarmed trainer certificate shall complete an online renewal form on the website provided by the Board. This form shall be submitted online not less than 30 days prior to the expiration of the applicant's current certificate. In addition, the applicant shall include the following:

- (1) the renewal fee set forth in Rule .0903(a)(3) of this Section and collected online as part of the application process;
- (2) a certificate of completion of a minimum of 16 hours of Board developed armed or unarmed instruction performed during the current unarmed trainer certification period; ~~and~~
- (3) a statement verifying the classes taught during the current unarmed trainer certification period on a form provided by the Board as part of the online application ~~process~~ process; and
- (4) uploaded online a statement of the results of a criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the

applicant has resided within the preceding 24 months.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated. The deadline for completion of any requirement mandated by the Board's law and rules, such as continuing education or firearms re-qualification, will be stayed during the period of deferral.

(b)(c) Members of the armed forces whose certification is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return are granted that same extension of time to pay the certification renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue must be furnished to the Board.

(d) During a national or State declared state of emergency that restricts or prohibits an unarmed trainer from performing the instruction required by Subparagraph (a)(2) of this Rule, the Board shall, upon written request to the Director, extend the deadline for renewal up to 90 days beyond the effective period of the state of emergency. Any certificate renewed pursuant to this Paragraph shall be issued conditionally and shall automatically expire on the 90th day if instruction requirements have not been met.

Authority G.S. 74C-8; 74C-9; 74C-11; 74C-13.

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Notice is hereby given in accordance with G.S. 150B-21.2 that the Alarm Systems Licensing Board intends to amend the rule cited as 14B NCAC 17 .0204.

Link to agency website pursuant to G.S. 150B-19.1(c): https://ncdps.gov/dps-services/permits-licenses/alarm-system-licensing-board

Proposed Effective Date: August 1, 2022

Public Hearing:

Date: April 26, 2022

Time: 2:00 p.m.

Location: 3101 Industrial Dr., Suite 104, Raleigh, NC 27609

Reason for Proposed Action: The rule amendment establishes a new procedure to allow reinstatement where a licensee failed to renew. (Currently, the licensee would have to complete the application process for a new licensee.)

Comments may be submitted to: Paul Sherwin, 3101 Industrial Dr., Suite 4, Raleigh, NC 27609; phone (919) 788-5320; fax (919)-715-0370; email Paul.sherwin@ncdps.gov

Comment period ends: May 31, 2022

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the

rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
Local funds affected
Substantial economic impact (>= \$1,000,000)
Approved by OSBM
No fiscal note required

CHAPTER 17 - ALARM SYSTEMS LICENSING BOARD

SECTION .0200 – PROVISIONS FOR LICENSEES

14B NCAC 17 .0204 RENEWAL OR REINSTATEMENT OF LICENSE

(a) Each applicant for a license renewal shall submit an online renewal application on the website provided by the Board. This online application shall be submitted not less than 30 days prior to expiration of the applicant's current license and shall be accompanied by:

- (1) statements of the result of a local statewide criminal history records search by the reporting services service designated by the Board pursuant to G.S. 74D-2.1 for any state where the applicant has resided within the preceding preceding 24 months;
(2) the applicant's renewal fee as set forth in .0203(a)(2); and
(3) proof of liability insurance pursuant to G.S. 74D-9.

(b) Applications for renewal shall be submitted not less than 30 days before the expiration date of the license. No renewal shall be granted more than 90 days after the date of expiration of a license.

(c) Applications for renewal submitted after the expiration date of the license shall be accompanied by the late renewal fee established by Rule .0203 of this Section and shall be submitted not later than 90 days after the expiration date of the license.

(d) If a licensee has maintained a license at least two years and fails to renew the license within 90 days of the expiration date, then allows the license to expire, the license may be re-issued if an online reinstatement application is made submitted within one year of the expiration date. The reinstatement application must include accompanied by the items required in Subparagraphs (a)(1) through (3) of this Rule, the late fee required by Paragraph (c) of this Rule, evidence of compliance with the electrical

6.

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
21 DOJ 05206

<p>William Christopher Giles Petitioner,</p> <p>v.</p> <p>NC Private Protective Services Board Respondent.</p>	<p><b>PROPOSAL FOR DECISION</b></p>
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**THIS CONTESTED CASE** came on for hearing before the Honorable Karlene S. Turrentine, Administrative Law Judge, on January 27, 2022, at the NC Office of Administrative Hearings in Raleigh, Wake County, North Carolina. This case was heard after Respondent requested, pursuant to N.C.G.S. § 150B-40(e), designation of an Administrative Law Judge to preside at the hearing of a contested case under Article 3A, Chapter 150B of the North Carolina General Statutes.

**APPEARANCES**

For Petitioner: William Christopher Giles  
Petitioner appeared *pro se*

For Respondent: Jeffrey P. Gray  
Bailey & Dixon, LLP  
Attorney for Respondent

**WITNESSES**

For Petitioner:

Petitioner testified on his own behalf but presented no other witnesses.

For Respondent:

Respondent presented testimony from: Paul Sherwin, Director of the NC Private Protective Services Board (“PPSB”).

**EXHIBITS**

For Petitioner:

None.

For Respondent:

<b>EXHIBIT NO.</b>	<b>RESPONDENT'S EXHIBITS ADMITTED WITHOUT OBJECTION</b>
1	Warrant for Arrest, issued May 6, 2021
2	Resp's Certified Ltr to Petitioner Re: Administrative Hearing (12.3.21), Notice of Hearing & Order of Summary Suspension of Security Guard and Patrol Business License and Armed Security Guard Registration

**ISSUE**

Whether Petitioner's being charged and failing to report he was charged with felony exploitation of a disabled adult, supports Respondent's Summary Suspension of Petitioner's Security Guard and Patrol Business License and Armed Security Guard Registration on the bases that the public's health, safety and welfare will be jeopardized if Petitioner is allowed to continue in his role as Qualifying Agent and an Armed Security Guard for WTSA Security, LLC.

**APPLICABLE STATUTES & REGULATIONS**

Official Notice is taken of the following statutes and regulations applicable to this case:  
N.C.G.S § 14-112.2, § 74C-6, § 74C-12(a)(25) § 150B-3(c) and, 14B NCAC 16 .0100, *et. seq.*

**BASED UPON** careful consideration of the sworn testimony of the witnesses presented at the hearing, the documents and exhibits received and admitted into evidence, the video evidence received and admitted into evidence, and the entire record in this proceeding, the Undersigned makes the following

**FINDINGS OF FACT**

1. Respondent Board, an agency of the State of North Carolina, is created pursuant to N.C.G.S. §74C-1, *et seq.*, and is charged with the duty of licensing and registering individuals engaged in the armed and unarmed security guard and patrol business or as a proprietary security organization employing armed security guards.

2. Pursuant to N.C.G.S. § 74C-12,

“The Board may, after compliance with Chapter 150B of the General Statutes, deny, suspend or revoke a license or registration issued under this Chapter if it is determined that the applicant, licensee, registrant or permit holder has...:

Demonstrated intemperate habits or a lack of good moral character. The acts that are prima facie evidence of intemperate habits or lack of good moral character under G.S. 74C-8(d)(2) are prima facie evidence of the same under this subdivision[; and/or,] ...

Failed to make any disclosure to the Board or provide documents or information required by this Chapter or rules adopted by the Board.

N.C.G.S. § 74C-12(a)(25) and (30).

3. Petitioner is the Qualifying Agent and licensee of WTSA Security, LLC, a security guard and patrol company in Statesville, North Carolina. WTSA Security, LLC's license expired on December 21, 2022.

4. Petitioner is also a registered armed security guard with WTSA Security, LLC. His registrations expired on November 30, 2021.

5. On May 6, 2021, Petitioner was charged, in Iredell County, with felony exploitation of a disabled person, in violation of N.C.G.S. 14-112.2(a).

6. The Warrant for Arrest reflects that the date of the offense was March 1, 2020 and that Petitioner, while standing in a position of trust with the disabled person, deceived and deprived her of use, benefit and possession of funds, assets and property valued in excess of \$140,000.00. Resp's Exh 1.

7. Petitioner did not report his having been charged or arrested to the Board.

8. The Board discovered the charge and Petitioner's failure to report it during a routine criminal history record check as part of its renewal process for Petitioner's armed security guard registration.

9. By Order issued December 3, 2021, the Board summarily suspended Petitioner's Security Guard and Patrol Business License and his Armed Security Guard Registration, pursuant to N.C.G.S. 150B-3(c) and N.C.G.S. § 74C-6, “upon the Findings of Fact showing that the public health, safety and welfare will be jeopardized if Mr. Giles is allowed to continue in his role as Qualifying Agent and an Armed Security Guard for WTSA Security, LLC.” Resp's Exh 2, Order of Summary Suspension, p.2, dated and filed December 3, 2021.

10. With its December 3, 2021 order, the Board served Petitioner with Notice of Hearing of this contested case—to be heard on January 27, 2022 in the Office of Administrative Hearings, Raleigh, Wake County, North Carolina. Petitioner was served with the Board's letter, order, and Notice of Hearing via certified mail. Resp's Exh 2, Notice of Hearing at p.1.

11. At the time of the hearing, the criminal charge against Petitioner had not been adjudicated. Thus, the Undersigned cautioned Petitioner that he was testifying under oath and anything he said could possibly be used against him in the criminal matter.

12. Petitioner made no excuse for his having failed to report the arrest to the Board but stated that at the time of the arrest, his company was very new and he was afraid that if he told the Board, he would not have been able to recoup the \$10,000.00 he had invested which was the last of his savings.

13. Petitioner further testified that he did not do what he was accused of and he had every hope and belief that he would be able to prove that when the matter was adjudicated.

**UPON THE FOREGOING** findings of fact, the Undersigned makes the following

### **CONCLUSIONS OF LAW**

1. The parties are properly before this Tribunal.
2. Under N.C.G.S. § 74C-12(a)(25), the Board may suspend Petitioner's business license and registration if it is determined that Petitioner has demonstrated intemperate habits or lacks good moral character.
3. Petitioner was charged with felony exploitation of a disabled person, in violation of N.C.G.S. § 14-112.2(a). The charge specifically includes the elements of willful deception against a disabled person and knowledge that the act was wrong. These elements, if proven, are indicative of a lack of good moral character.
4. Additionally, Petitioner had an obligation to report to the Board that he had been charged with felony exploitation of a disabled person under N.C.G.S. § 14-112.2. "A licensee **shall** report to the Board in writing within 30 days any charge, arrest for, or conviction of a misdemeanor or felony for any of the following: (1) Crimes that have as an essential element dishonesty, deceit, fraud, or misrepresentation." N.C.G.S. § 74C-12(d)(1)(emphasis added).
5. The Board's Director, Paul Sherwin testified that, because of the Warrant and the failure to report the charge and arrest, the Board found Petitioner to be in violation of N.C.G.S. § 74C-12(2), (25), (30) and § 74C-12(d)(1), which violations entitle the Board to suspend Petitioner's registration pursuant to N.C.G.S. §§ 74C-12(a)(5) and (a)(24).
6. Although Petitioner has not been convicted of the felony with which he was charged, the Board presented sufficient evidence to support its summary suspension of Petitioner's Security Guard and Patrol Business License and Armed Security Guard Registration based on: a) Petitioner's failure to report; b) Petitioner's acknowledgement that he knew he should have reported but did not because he needed to recoup his monetary investment from his company, and; c) the elements of the crime include willful deception.

**BASED ON** the foregoing, the Undersigned makes the following



**PROPOSED DECISION**

The Undersigned finds and concludes that Respondent-Board's actions in summarily suspending Petitioner's Security Guard and Patrol Business License and Armed Security Guard Registration are supported by the evidence and is, therefore, **AFFIRMED**.

**NOTICE AND ORDER**

The **North Carolina Private Protective Services Board** will make the Final Decision in this contested case. As the Final Decision maker, that agency is required to give each party an opportunity to file exceptions to this proposal for decision, to submit proposed findings of fact, and to present oral and written arguments to the agency pursuant to N.C. Gen. Stat. § 150B-40(e).

**IT IS ORDERED** that the agency shall serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6700. Moreover, the agency shall also serve a copy of its Final Decision upon each party by one of the methods for service of process under N.C.G.S. § 1A-1, Rule 5(b). A copy shall also be furnished to each party's attorney of record. N.C.G.S. § 150B-42(a).

**SO ORDERED.** This the 25th day of March, 2022.

A handwritten signature in black ink, appearing to read 'K. Turrentine', is written over a solid horizontal line.

Hon. Karlene S. Turrentine  
Administrative Law Judge

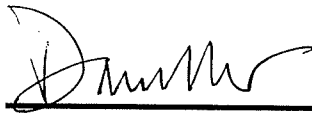
**CERTIFICATE OF SERVICE**

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

William Christopher Giles  
108 Farmview Lane  
Statesville NC 28625  
Petitioner

Jeffrey P Gray (by electronic mail on March 25, 2022)  
Bailey & Dixon, LLP  
jgray@bdixon.com  
Attorney For Respondent

This the 28<sup>th</sup> day of March 2022.



Daniel Chunko  
Law Clerk  
N. C. Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh, NC 27609-6285  
Phone: 919-431-3000

7.

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
21 DOJ 05086

Michael Abram Craddock Petitioner,  v.  NC Private Protective Services Board Respondent.	<b>PROPOSAL FOR DECISION</b>
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**THIS CONTESTED CASE** came on for hearing before the Honorable Karlene S. Turrentine, Administrative Law Judge, on January 27, 2022, at the NC Office of Administrative Hearings in Raleigh, Wake County, North Carolina. This case was heard after Respondent requested, pursuant to N.C.G.S. § 150B-40(e), designation of an Administrative Law Judge to preside at the hearing of a contested case under Article 3A, Chapter 150B of the North Carolina General Statutes.

**APPEARANCES**

For Petitioner: Michael Abram Craddock  
Petitioner appeared *pro se*

For Respondent: Jeffrey P. Gray  
Bailey & Dixon, LLP  
Attorney for Respondent

**WITNESSES**

For Petitioner:

Petitioner testified on his on behalf but presented no other witnesses.

For Respondent:

Respondent presented testimony from: Paul Sherwin, Director of the NC Private Protective Services Board (“PPSB”).

**EXHIBITS**

For Petitioner:

None.

For Respondent:

EXHIBIT NO.	PETITIONER'S EXHIBITS ADMITTED WITHOUT OBJECTION
1	Warrant for Arrest, Incident/Investigation Report & Arrest Report
2	Resp's Certified Ltr to Petitioner Re: Administrative Hearing (11.29.21), Notice of Hearing & Order of Summary Suspension of Armed Security Guard Registration

**ISSUE**

Whether Petitioner's being charged with the misdemeanor of Impersonating a Law Enforcement Officer in Mecklenburg County, North Carolina, supports Respondent's Summary Suspension of Petitioner's Armed Security Guard Registration on the bases that: a) Petitioner lacks good moral character, and; b) Petitioner is/will be a threat to the public's health, safety and welfare.

**APPLICABLE STATUTES & REGULATIONS**

N.C.G.S § 74C-6, § 74C-12(a)(25) § 150B-3(c) and, 14B NCAC 16 .0100, *et. seq.*

**BASED UPON** careful consideration of the sworn testimony of the witnesses presented at the hearing, the documents and exhibits received and admitted into evidence, the video evidence received and admitted into evidence, and the entire record in this proceeding, the Undersigned makes the following

**FINDINGS OF FACT**

1. Respondent Board, an agency of the State of North Carolina, is created pursuant to N.C.G.S. §74C-1, *et seq.*, and is charged with the duty of licensing and registering individuals engaged in the armed and unarmed security guard and patrol business or as a proprietary security organization employing armed security guards.

2. Pursuant to N.C.G.S. § 74C-12,

“The Board may, after compliance with Chapter 150B of the General Statutes, deny, suspend or revoke a license or registration issued under this Chapter if it is determined that the... registrant...has...:

Demonstrated intemperate habits or a lack of good moral character. The acts that are prima facie evidence of intemperate habits or lack of good moral character under G.S. 74C-8(d)(2) are prima facie evidence of the same under this subdivision.

N.C.G.S. § 74C-12(a)(25).

3. At the time of the hearing of this contested case, Petitioner was licensed by the Board as an armed security guard with Allied Universal Security Services, a security guard and patrol company (also licensed by the Board) located at 2211 W. Meadow View Rd., Greensboro, NC 27407. Petitioner’s registration had an expiration date of December 31, 2021.

4. On October 17, 2021, Petitioner was charged by the Mint Hill Police Department with impersonating a law-enforcement officer in violation of N.C.G.S. § 14-277(a)(1) which provides: “No person shall falsely represent to another that he is a sworn law-enforcement officer. As used in this section, a person represents that he is a sworn law-enforcement officer if he[...v]erbally informs another that he is a sworn law-enforcement officer, whether or not the representation refers to a particular agency[]....” Resp’s Exh 1, Warrant for Arrest p.1.

5. By Order issued November 29, 2021, the Board summarily suspended Petitioner’s Armed Security Guard Registration, pursuant to N.C.G.S. 150B-3(c) “upon the Findings of Fact showing that the public health, safety, and welfare will be jeopardized if Mr. Craddock is allowed to continue in his role as an Armed Security Guard for Allied Universal Security Services.” Resp’s Exh 2, Order of Summary Suspension of Armed Security Guard Registration, p.2, dated and filed November 29, 2021.

6. With its November 29, 2021 order, the Board served Petitioner with Notice of Hearing of this contested case—to be heard on January 27, 2022 in the Office of Administrative Hearings, Raleigh, Wake County, North Carolina. Petitioner was served with the Board’s letter, order, and Notice of Hearing via certified mail. Resp’s Exh 2, Notice of Hearing at p.1.

7. At hearing, Petitioner testified that, on October 16, 2021:

- a) Petitioner was living with his stepfather in an apartment complex where he believed a drug dealer was conducting business. Petitioner credibly testified that he and many of the neighbors were fearful because of this activity and some had reported it to the police prior to this day.
- b) Petitioner first called 911 anonymously to report what he saw.
- c) On his 2<sup>nd</sup> and 3<sup>rd</sup> calls, Petitioner identified himself and, on one of those calls told the 911 person, the drug dealer (and friends) were looking into Petitioner’s car.
- d) When asked who he was, Petitioner responded to MH police officers that he was an officer for Allied. Petitioner specifically told the dispatcher he was a PPS officer who worked for Allied Universal.

8. Respondent offered the Mint Hill Police Department's Warrant for Arrest which states that, on October 16, 2021, Petitioner "unlawfully and willfully falsely represent" to Mint Hill Officers Weiland and McInnis and also to Dispatchers Watson and Stamps "that [he] was a sworn law-enforcement officer.... [Further, Petitioner] informed 911 call taker that he was a CMPD [Charlotte-Mecklenburg Police Department] officer[, ...] informed responding [Mint Hill] patrol officer that he worked out of Charlotte and has been an "Officer" for almost twenty years[,] and told a Mint Hill Sergeant] that he was a CMPD officer via phone." Resp. Exh 1, Warrant for Arrest, p.1.

9. The Complainant who took out the Warrant was Mint Hill ("MH") Officer Joshua Weiland and, Officer Weiland listed MH Officer Corben McInnis, Jr. on the Warrant as a witness. However, no officer testified at hearing.

10. Officer Weiland's Incident/Investigation Report, the statements upon which the Warrant was based, states in pertinent part that:

- a) On October 16, 2021 at approximately 0303 hours, he responded to a dispatch call which advised "Charlotte-Mecklenburg Police ("CMPD") Officer Craddock was reporting a noise complaint at a residence address.
- b) "Officer Weiland was aware that an alleged CMPD officer at the residence calls 911 often to report noise complaints on his neighbors." (p.2)
- c) Prior to Weiland's arrival that day, Officer Craddock called back twice on the 911 emergency line after the initial report.
- d) Weiland asked Petitioner for his badge number and Petitioner stated he did not have one so Weiland, believing Petitioner had represented himself to dispatch as a CMPD officer, asked his supervisors to verify Petitioner's status with CMPD. (p.3)
- e) Weiland asked Petitioner "what division he worked for" and Petitioner responded he "works out of Charlotte." Weiland **finally clarified that he was talking about the CMPD and Petitioner stated, 'he was private, a private officer II'** and Petitioner told Weiland he worked for Allied Universal. (p3) (emphasis added).
- f) Later in the conversation, Petitioner stated he'd "been an officer for almost twenty years now." (p.4)
- g) Weiland 'verified' with dispatchers Watson and Stamps that Petitioner identified himself as a CMPD officer on the 911 call.
- h) Allied Universal confirmed Petitioner worked for them.
- i) Nothing in Weiland's portion of the Incident report acknowledged that Petitioner's call was related to his concern about a drug dealer.

Resp. Exh 1, Incident/Investigation Report.

11. On October 18, 2021, Dispatcher Watson sent Officer Weiland the three (3) 911 recordings between dispatch and Petitioner. On each of the recordings, Petitioner identifies himself as "Officer Craddock" but **at no time** did Petitioner ever state he worked for CMPD or

any other entity besides Allied. Neither do the calls reflect that Petitioner ever asserted he was a sworn law enforcement officer. He was recorded to say he was “an officer out of Charlotte.” Resp. Exh 1, Incident/Investigation Report, p.7.

12. The Incident report reflects that Officer Weiland “reviewed NCGS 74C governing the Private Protective Services for North Carolina” and found that “in general, security personnel were referred to as ‘guard’ rather than ‘officer’.” *Id.*

13. Officer Cassandra J. Scott was dispatched to the same address in reference to drug activity and she reported (in Supplement #11 of the Incident/Investigation Report) that the dispatchers told her the caller’s name was CMPD Officer. *Id.* “On October 10, 2021, ...[t]he dispatch notes state the caller’s name is ‘Officer Craddock’.” He was requesting continued patrol on his street. “Officer Scott responded initially assuming Craddock was a police officer....” *Id.* at p.8.

UPON THE FOREGOING findings of fact, the Undersigned makes the following

### CONCLUSIONS OF LAW

1. The parties are properly before this Tribunal.
2. The Board’s Director, Paul Sherwin testified that, because of the Warrant, the Board found Petitioner to be in violation of N.C.G.S. § 14-277, which entitles the Board to suspend Petitioner’s registration pursuant to N.C.G.S. §§ 74C-12(a)(5) and (a)(24).
3. Yet, Petitioner testified that he never, at any time, represented himself to work for any other entity but Allied but admitted he always calls himself an “officer”. Moreover, upon reviewing the entire Incident/Investigation Report attached to the Warrant, it is clear that the *only* thing Petitioner did was to represent himself as an “officer” which the dispatchers took to believe or understand meant ‘police officer’. Moreover, when Petitioner mentioned Charlotte, the dispatchers further assumed he worked for the Charlotte Mecklenburg Police Department, but according to Weiland’s recitation of the 911 tapes, Petitioner never stated or inferred such.
4. It was the dispatchers—not Petitioner—who told Officers Weiland, McInnis, and Scott that Petitioner was a police officer, and the Mint Hill officers ran with it.
5. Officer Weiland’s belief that “[t]he term ‘officer’ [i]s used to generally refer to law enforcement officers rather than security personnel[]” is misplaced and irrelevant. The title “officer” is regularly used in many ways and professions, including but not limited to: executive officer, bank officer, corrections officer, military officer, officer of the court, police officer and security officer.
6. Further, Armed Private Security Officer is defined, in pertinent part, to mean: “an individual employed, full time or part time, by a contract security company or a proprietary security organization[] who at any time wears, carries, or possesses a firearm in the performance

of his or her duties [and...] whose principal duty is that of [...] an armed security guard, officer, patrol or watchman.” 14B NCAC 16 .0103(3).

7. There is no crime in Petitioner’s having represented himself as a security officer and such representation does not support a finding that either: a) Petitioner lacks good moral character, or; b) Petitioner is/will be a threat to the public’s health, safety and welfare.

8. Respondent Board has failed to present sufficient evidence to support its Summary Suspension of Petitioner’s Armed Security Guard Registration.

### **PROPOSAL FOR DECISION**

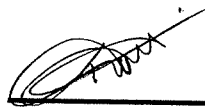
**BASED UPON** the foregoing Findings of Fact and Conclusions of Law, the Undersigned hereby recommends that the Board **REVERSE** is summary suspension of Petitioner’s Armed Security Guard Registration and grant Petitioner’s renewal thereof.

### **NOTICE AND ORDER**

The **North Carolina Private Protective Services Board** will make the Final Decision in this contested case. As the Final Decision maker, that agency is required to give each party an opportunity to file exceptions to this proposal for decision, to submit proposed findings of fact, and to present oral and written arguments to the agency pursuant to N.C. Gen. Stat. § 150B-40(e).

**IT IS ORDERED** that the agency shall serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6700. Moreover, the agency shall also serve a copy of its Final Decision upon each party by one of the methods for service of process under N.C.G.S. § 1A-1, Rule 5(b). A copy shall also be furnished to each party’s attorney of record. N.C.G.S. § 150B-42(a).

**SO ORDERED.** This the 25th day of March, 2022.



Hon. Karlene S. Turrentine  
Administrative Law Judge



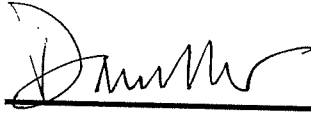
**CERTIFICATE OF SERVICE**

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

Michael Abram Craddock  
10213 Atchinson Drive  
Mint Hill NC 28227  
Petitioner

Jeffrey P Gray (by electronic mail on March 25, 2022)  
Bailey & Dixon, LLP  
jgray@bdixon.com  
Attorney For Respondent

This the 28<sup>th</sup> day of March 2022.



Daniel Chunko  
Law Clerk  
N. C. Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh, NC 27609-6285  
Phone: 919-431-3000