



# North Carolina Department of Public Safety

## Alarm Systems Licensing Board

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

Stephen Wheeler, Chair  
Paul Sherwin, Director

### MINUTES OF THE NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

Date: May 2, 2024  
Time: 5:30 p.m.  
Location: Harrah's Cherokee Casino Resort  
777 Casino Dr, Cherokee, NC 28719

#### **Board Members Present**

Jim Crabtree  
Mack Donaldson  
Caroline Brown  
Jamie Brown

#### **Board Members Absent**

Mary Wood  
Stephen Wheeler  
Robert "Wike" Graham

#### **Board Staff Present**

Director Paul Sherwin  
Attorney Jeff Gray  
Field Services Supervisor Kim Odom  
ASLB Board Secretary Syconda Marrow  
Investigator Daniel Cheatham

#### **Visitors** (26 in person)

Charlie Atkinson	Jamie Byrd
Mike Roberson	Jeff Shuey
Darwin Smith	Shawn Dickison
John Thurston	Johnny Belangia
David Sperber	Kirk Saunders
E.J. Marshburn	Peter Meyer
Tommy Whisnant	James Lee
Roy Pollack	Rodney Maitland
Duncan Hubbard	Kyle Boyd
James Snider	Richard Harpster
Staley Thomas	Jason Harpster
Scott Gindlesperger	Brian Hales
Cathy Lamberth	Michael Wright

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#### **Call to Order**

The May 2, 2024, meeting of the North Carolina Alarm Systems Licensing Board was called to order by Vice-Chair Caroline Brown at 5:30 p.m.

## **State Ethics Law**

Attorney Jeff Gray read the following statement:

"In accordance with the State Ethics Act, it is the duty of every Board member to avoid both conflicts of interest and the appearance 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 of conflict and refrain from the deliberation and vote in that matter."

## **Welcome Guests**

Vice-Chair Caroline Brown welcomed all guests.

## **Final Agency Decision(s)**

Attorney Jeff Gray recused himself as the Board's attorney to present a Proposal for Decision from the Office of Administrative Hearings.

Jeff Gray presented the Proposal for Decision in the case of 24 DOJ 00314, Nathaniel Orion Taylor (Petitioner) v. NC Alarm Systems Licensing Board (Respondent). Mr. Taylor was present.

The case was heard by Administrative Law Judge John C. Evans on February 27, 2024. This case involved the suspension of Mr. Taylor's alarm systems license for failure to register employees as required by N.C. Gen. Stat. § 74D-8 and 14B NCAC 17 .0301.

Motion: Caroline Brown motioned to accept the recommendation of the Administrative Law Judge and uphold the suspension of Mr. Taylor's alarm systems license for a minimum of 90 days and recover the cost of the investigation. Jim Crabtree seconded. The motion carried unanimously.

## **Approval of the March 2024 Meeting Minutes**

Motion: Mack Donaldson motioned to accept the March 2024 Board meeting minutes. Caroline Brown seconded. The motion carried unanimously.

## **Committee Reports**

**Grievance Committee:** Grievance Committee members Jim Crabtree and Caroline Brown met on May 2, 2024, from 4:45 p.m. to 4:52 p.m. They heard one case. Committee Chair Jim Crabtree presented the Grievance Committee report.

Motion: Caroline Brown motioned to accept the Grievance Committee report. Mack Donaldson seconded. The motion carried unanimously.

*See the attachment for the full Grievance Committee report.*

**Screening Committee:** Screening Committee members Jim Crabtree, Mack Donaldson and Caroline Brown met on May 2, 2024, from 5:01 p.m. to 5:11 p.m. to review seven license applications. Committee Chair Caroline Brown presented the Screening Committee report.

Motion: Jim Crabtree motioned to accept the Screening Committee report. Mack Donaldson seconded. The motion carried unanimously.

*See the attachment for the full Screening Committee report.*

**Training and Education Committee:** Committee Chair Mack Donaldson presented the Training and Education Committee report. Mr. Donaldson reported the Committee reviewed three new applications and 15 renewal applications for continuing education courses. The Committee recommended approving all course applications.

Motion: Jim Crabtree motioned to approve the Training and Education Committee report. Caroline Brown seconded. The motion carried unanimously.

*See the attachment for the full Training and Education Committee report.*

### **Old Business**

Director Sherwin reminded the Board that the July meeting will occur on July 18, 2024, and will be at the Hilton Raleigh North Hills hotel during the ADI Expo.

### **New Business**

Director Sherwin announced that Private Protective Services is the host of the 2024 International Association of Security and Investigative Regulators (IASIR) Conference in Charlotte, N.C., October 9-11. He asked if the Board would like to send any of its members to the conference. The Board deferred making a decision until the July meeting when all Board members are present.

### **Director's Report**

Director Paul Sherwin presented the Director's Report. The report included information about personnel changes, the status of the Board's active licensees and registrants, and a Board finances update.

Motion: Jim Crabtree motioned to accept the Director's Report. Mack Donaldson seconded. The motion carried unanimously.

*See the attachment for the full Director's Report.*

### **Attorney's Report**

Attorney Jeff Gray presented his Attorney's Report, which included updates about the status of consent agreements, pending administrative rules changes, and legislative updates.

Motion: Jim Crabtree motioned to accept the Attorney's Report. Mack Donaldson seconded. The motion carried unanimously.

*See the attachment for the full Attorney's Report.*

### **Good of the Order and Public Comment**

Industry members James Lee and Duncan Hubbard complimented the work of Board staff and expressed appreciation for the Board holding its meeting in conjunction with the 2024 N.C. Security and Low Voltage Association (NCSLVA) conference.

### **Closed Session**

Motion: Caroline Brown motioned to go into Closed Session to discuss pending litigation. Jim Crabtree seconded. The motion carried unanimously.

Closed session began at 5:45 p.m.

Motion: Jim Crabtree motioned to end the Closed Session. Caroline Brown seconded. The motion carried unanimously.

Closed session ended at 5:53 p.m.

Motion: Caroline Brown motioned to adjourn the meeting. Jim Crabtree seconded. The motion carried unanimously.

Meeting adjourned at 6:12 p.m.

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Paul Sherwin, Director

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Syconda Marrow, Board Secretary

## ASLB Grievance After Report for May 2, 2024 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. 2024-ASLB-003	Carl Eugene Childres Childres Electronics 8571 Private View Drive Hickory, NC 28601	NCGS 74D-2	Find violation of 74D-2. Continue the cease and desist order previously issued to Carl Eugene Childres and Childres Electronics. Refer this matter to the Screening Committee should Carl Eugene Childres apply for a license.	

# Board Meeting Report

Board Date 05/02/2024

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
1.	Tracy Wayne Adams Pye-Barker Fire & Safety, Inc. 8203 Piedmont Triad Parkway Greensboro, NC 27409	New Branch Office	Approve	Accepted
2.	Kenneth Watson Blackstone III Marbin Electrical Service 1911 Oscar Barton Rd Monroe, GA 30549	Alarm	Approve	Accepted
3.	Norris Denver Lamb III ADT, LLC P.O. Box 310702 Boca Raton, FL 33431	New Branch Office	Approve with Condition Approve with the condition Norris Lamb and ADT, LLC enter into and pay a consent agreement of \$1,708.50 for 67 months of an unlicensed branch office.	Accepted
4.	Brandon Lowery Converge Communication Technologies Inc. 8208 Village Harbor Drive Cornelius, NC 28031	Alarm	Approve	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
5.	Jacob Scott Maness San Lee Security Inc 105 West Main Street Sanford, NC 27332	Alarm	Approve with Condition Approve with the condition Jacob Maness and San Lee Security Inc enter into and pay a consent agreement of \$3,922.00 for eight registration violations and 34 months of unlicensed activity.	Accepted
6.	Thomas J McColgan Tradesmen Electrical 2733 Wellington St Rock Hill, SC 29732	Alarm	Approve	Accepted
7.	Farshid Pourgolafshan Miller Electric Company 6805 Southpoint Pkwy Jacksonville, FL 32216	Alarm	Approve	Accepted

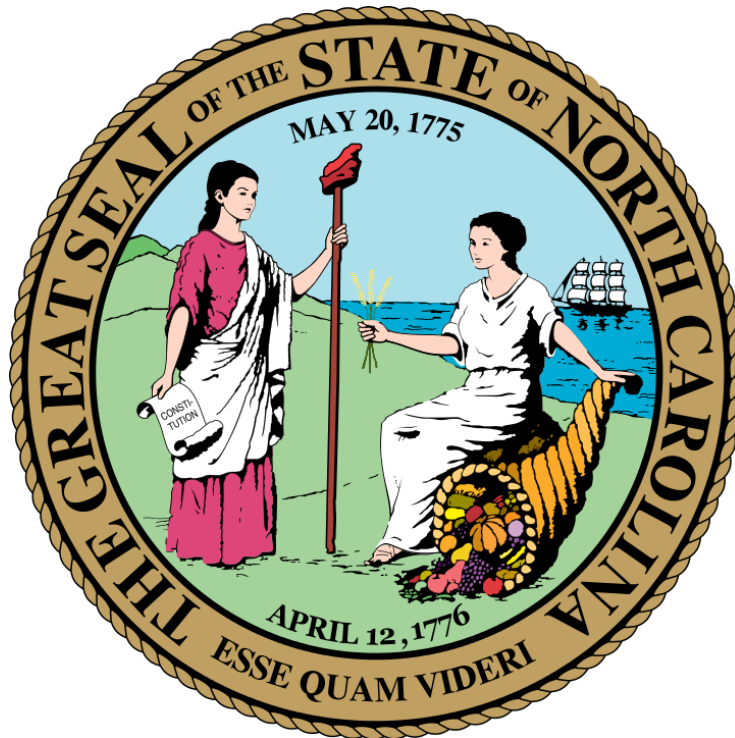




# NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

May 2, 2024

## DIRECTOR'S REPORT



**Paul Sherwin, Director**

## **DIRECTOR'S REPORT**

- I. PPS information and updates, page 3**
- II. Registration and licensing summary, page 5**
- III. FY23 budget summary, page 6**

# PPS INFORMATION AND UPDATES

## Personnel

Private Protective Services currently has three vacant positions:

- Registration Processor (x2)
- Receptionist

## Operations

### Registration Unit

- Registration applications received year-to-date: 1,131
  - Same period 2023: 1,250
  - Same period 2022: 1,077
  - Same period 2021: 1,292
  - Same period 2020: 1,191
  - Same period 2019: 1,286

### Licensing Unit

- License applications received year-to-date: 87
  - Same period 2023: 115
  - Same period 2022: 90
  - Same period 2021: 121
  - Same period 2020: 101
  - Same period 2019: 146

### Investigations Unit

- New license applicant background investigations completed year-to-date: 22
  - Same period 2023: 25
  - Same period 2022: 25
  - Same period 2021: 24
  - Same period 2020: 42
  - Same period 2019: 44
- Complaint investigations completed year-to-date: 9
  - Same period 2023: 15
  - Same period 2022: 11
  - Same period 2021: 13
  - Same period 2020: 4
  - Same period 2019: 11

# REGISTRATION AND LICENSING SUMMARY

**Total active in Permitium: 7,501**  
**(-5.5% from March 2024 meeting)**

<b>Registration</b>		
	Alarm Registrant	6,492
<b>Registration Total</b>		<b>6,492</b>
<b>License</b>		
	Burglar Alarm Business	1,039
<b>License Total</b>		<b>1,039</b>

# FINANCIAL REPORTS

## Alarm Systems Licensing Board Financial Report

Fiscal Year 2023-2024

July 1, 2023 - March 31, 2024

### ASLB Operating Fund Revenue and Expenditures

FY24 Revenue	\$ 411,180.20
FY24 Expenditures	\$ (474,740.48)
FY24 Fund Balance Increase/(Decrease)	\$ (63,560.28)

### ASLB Operating Fund Cash Flow

Beginning Balance (July 1, 2023)	\$ 960,258.90
FY24 Revenue	\$ 411,180.20
FY24 Expenditures	\$ (474,740.48)
Current Fund Balance	\$ 896,698.62

### ASLB Education Fund Revenue and Expenditures

FY24 Revenue	\$ 1,850.00
FY24 Expenditures	\$ (6,000.00)
FY24 Fund Balance Increase/(Decrease)	\$ (4,150.00)

### ASLB Education Fund Cash Flow

Beginning Balance (July 1, 2023)	\$ 97,834.68
FY24 Revenue	\$ 1,850.00
FY24 Expenditures	\$ (6,000.00)
Current Fund Balance	\$ 93,684.68

### Additional Financial Information

While reviewing January 2024 budget reports in preparation for the March 2024 Alarm Systems Licensing Board meeting, I noticed unusual balances in the *Personal Services* (salaries and benefits) accounts of both the Alarm Systems Licensing Board and Private Protective Services Board. The Alarm Systems Licensing Board had been debited \$170,024.89 for the month (the usual amount is approximately \$35,000), and the Private Protective Services Board had been credited \$22,056.95 for the month (the usual amount is a debit of \$105,000).

I inquired about this with DPS Budget Officials and, after an investigation, I learned that since October 4, 2021, the Private Protective Services Board had been erroneously paying the full salary and benefits for former-PPSB Secretary Syconda Marrow. Syconda transferred to the ASLB Secretary position on October 4, 2021, and the ASLB should have been paying 100% of her salary and benefits since then. Unfortunately, due to a keying error involving the entry of Syconda's position number (60011455 was entered, rather than 60011445) when the transfer occurred, the PPSB continued to pay Syconda's salary and benefits between October 2021 and December 2023, for a total of \$134,227.02. The position number assignment error was discovered by DPS HR officials in January 2024 during a routine audit of reportedly vacant positions.

To correct the finance-related errors, the following adjustments were made:

PPSB – January 2024

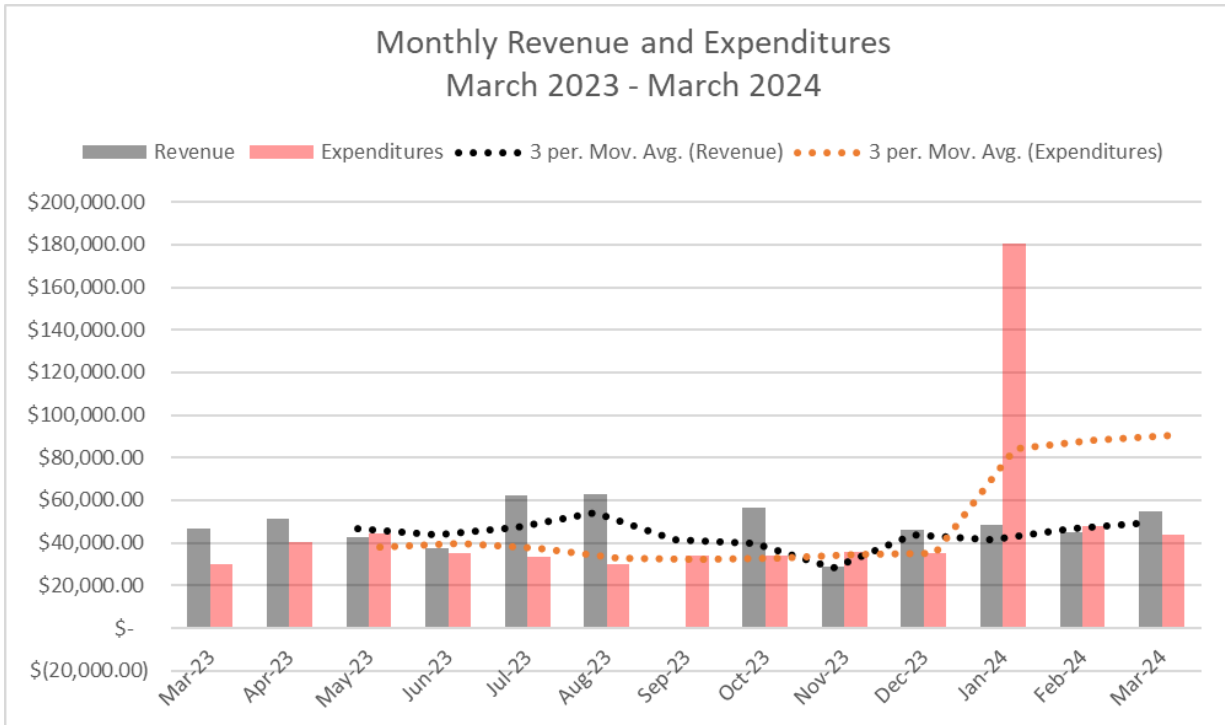
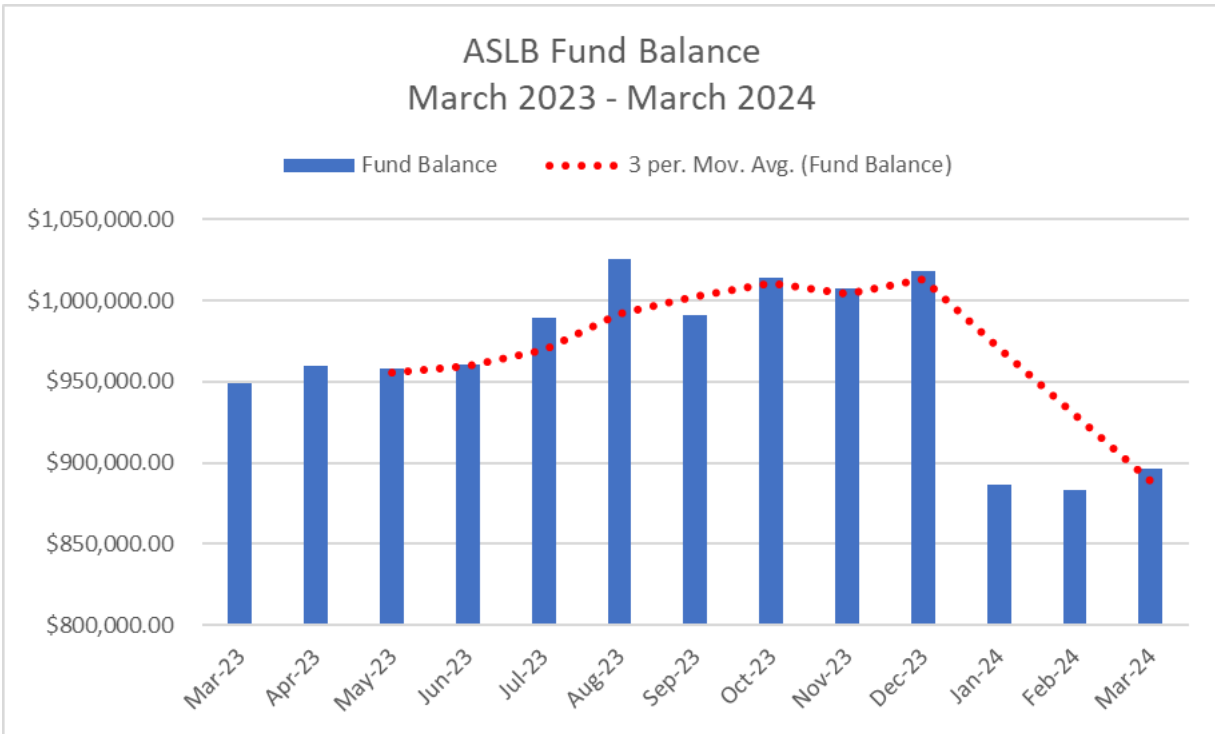
Payroll Charges	\$112,170.07
Refund from ASLB	(\$134,227.02)
Payroll Credit	(\$22,056.95)

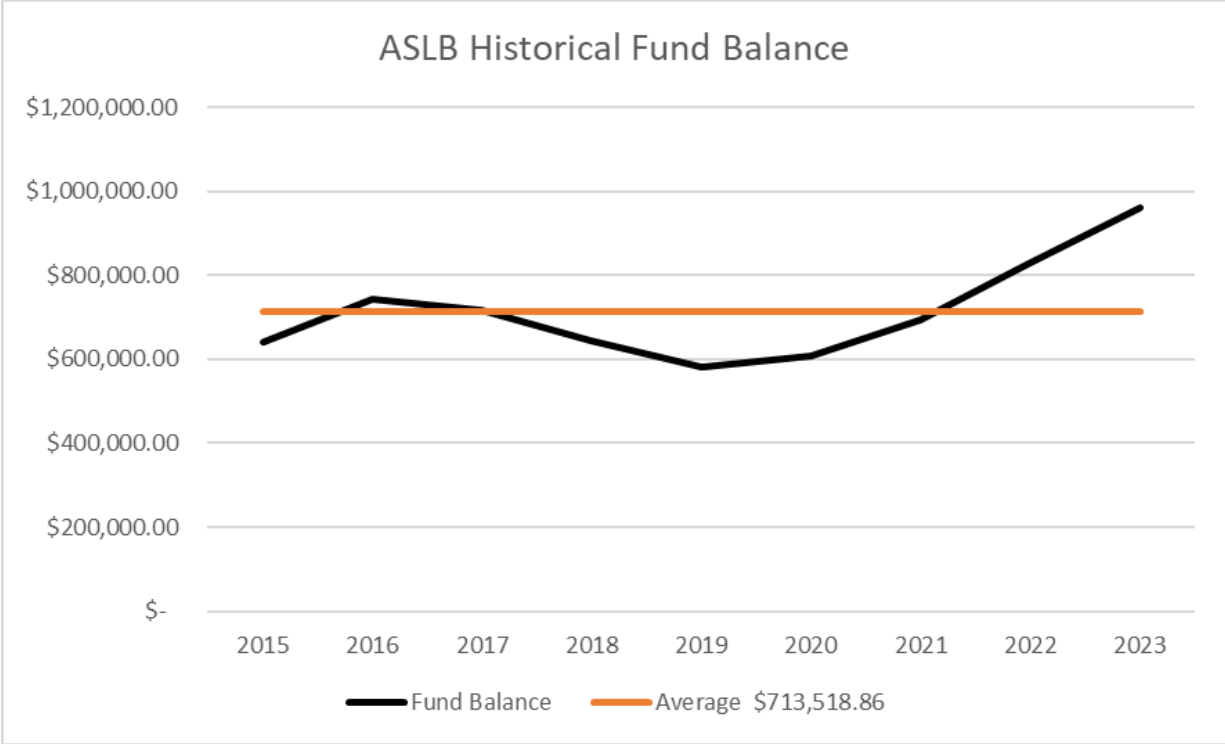
ASLB – January 2024

Payroll Charges	\$35,797.87
Refund to PPSB	\$134,227.02
Payroll Debit	\$170,024.89

Subsequently, a comprehensive review of all Private Protective Services positions, including the funding source (ASLB vs. PPSB) for each position, was conducted and no additional errors were found.

# BUDGET GRAPHICS







**ALARM SYSTEMS LICENSING BOARD**

Raleigh, North Carolina  
May 2, 2024

ATTORNEY'S REPORT



ALARM SYSTEMS LICENSING BOARD

Raleigh, North Carolina

May 2, 2024

I. CONSENT AGREEMENTS & CIVIL PENALTIES

On March 26, 2024, Robbie Hinton and Hinton Smart Home, Inc. entered into a Consent Agreement in the amount of \$340.00 for registration violations. Payment has been received. (PAID IN FULL)

On April 25, 2024, Norris Lamb and ADT, LLC entered into a Consent Agreement in the amount of \$1,050.00 for registration violations. Payment has been received. (PAID IN FULL)

II. OFFICE OF ADMINISTRATIVE HEARINGS

*See, Hearings List (attachment 1.)*

III. PENDING LITIGATION

After numerous attempts to resolve a licensure issue informally, the Board instructed me at its February 2023 meeting to file a Complaint for Injunctive Relief against Flock Group, Inc. d/b/a Flock Safety for unlicensed activity. It was filed on March 3, 2023.

On the Friday before the Monday April 10<sup>th</sup> hearing on my Motion for Temporary Restraining Order the attorney for Flock Safety assured me his client would consent to the TRO. Based on those assurances I advised the presiding Judge that a consent order was forthcoming and the matter was continued. Thereafter, Flock Safety refused to sign the Consent Order for TRO, which its attorney drafted(!) and I agreed to.

Defendant Flock Group filed its Answer on May 2, 2023.

Thereupon representatives of Flock Group Inc., its in-house legal counsel and its North Carolina attorney, met in Closed Session with the Board at its May meeting and presumed resolved the issue of licensure through a Consent Order, however Flock Safety refused to sign the Consent Order and has

blatantly failed to abide by the handwritten version of the agreement signed at the Board's May meeting.

It also failed to meet the agreed application deadline (but applied late) and by every indicator had no intention of completing the application process as agreed. At its September 21, 2023 meeting, following a Closed Session, the Board voted to withdraw the offer of settlement.

Having learned through media reports and other sources that Flock Safety had recently signed at least two more contracts for installations I re-calendared the Motion for Temporary Restraining Order, which was granted. On October 30, 2023 a Wake County Superior Court Judge granted a partial Preliminary Injunction barring Flock Safety from any further installations or servicing of its camera systems.

Flock Safety withdrew its application for licensure on December 12, 2023.

A "status report" was calendared for February 5, 2024, and following that Court appearance I proceeded with calendaring the hearing on the merits, which was set for Wednesday, March 27, 2024.

The attorneys for Flock Safety met with the Board on March 21<sup>st</sup> and this matter was resolved by entry of a Consent Order which, among other things, extended the Preliminary Injunction on certain conditions.

A new application was received on April 19, 2024 and the background investigation has been assigned to an Investigator.

#### IV. ADMINISTRATIVE RULES

Permitium is increasing its transaction fee by \$1.00, from \$4.00 to \$5.00, effective September 1, 2024. This increase necessitates an amendment to five administrative rules. Those proposed amendments were attached as Attachment 3 to my March 21, 2024 Attorney's Report and the Board voted to approve these amendments.

The Notice of Text was filed the following day (March 22<sup>nd</sup>). The Public Hearing was held on Tuesday, April 30, 2024 at 2:00 p.m. at the Board's office. The Public Comment Period ends June 14, 2024.

Barring any unforeseen circumstances the Board can meet Permitium's deadline.

V. LEGISLATION

a. The Board's bill, the "Alarm Systems Licensing Act Modernization," was introduced on March 2<sup>nd</sup> by Senator Warren Daniel. It is Senate Bill 345. A copy was attached as Attachment 2 to my May Attorney's Report.

It passed the Senate State and Local Government Committee with a favorable report and referred to the Senate Finance Committee where it was amended with an unrelated provision regarding the Machinery Act and received a favorable report.

It passed the Senate on June 28, 2023 on a vote of 46-0 and has been referred to the House Rules Committee. It did not pass prior to the legislature's adjournment of October 30<sup>th</sup>, however, Susana Davis, Legislative Liaison for the Department of Public Safety, has advised it remains eligible for consideration in the "short session" next year. Between now and then the legislature will reconvene for some limited purposes, but the short session convenes on April 11, 2024.

b. House Bill 385, "Regulation of Battery-Charged Security Fences," would prohibit counties and cities from adopting certain ordinances, rules, and regulations related to battery-charged security fences and defines and establishes requirements for those fences. A copy was attached as Attachment 3 to my May Attorney's Report.

This bill passed the House on April 25, 2023 and was referred to the Senate Committee on Rules and remains eligible for consideration.

V. FINAL AGENCY DECISIONS

Nathan Orion Taylor (*See*, Attachment 2.)

**ASLB**  
**MASTER HEARINGS LIST**  
**as of April 18, 2024**

1.

OAH HEARING DATE	PETITIONER	TYPE OF APPLICATION	FAD HEARING DATE
November 28, 2017	Daniel Carl Hagerty / Guardian Eagle Security, LLC d/b/a AVSX Technologies 17 DOJ 06331	Letter of Reprimand (business license)	FAD served April 12, 2018. Petition for Judicial Review filed in Wake County Superior Court May 25, 2018.
February 27, 2024	Nathan Orion Taylor 24 DOJ 00314	Suspension of Alarm Systems Business License	May 2, 2024
February 27, 2024	Steven Daniel Smith 24 DOJ 00396	Suspension of Alarm Systems Business License	May 2, 2024
May 9, 2024	Seth Brewer Beddes/Alder Holdings, LLC 23 DOJ 02590	Suspension of Alarm Systems Business License	

2.

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
24 DOJ 00314

<p>Nathan Orion Taylor Petitioner,</p> <p>v.</p> <p>North Carolina Alarm Systems Licensing Board Respondent.</p>	<p><b>PROPOSAL FOR DECISION</b></p>
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On February 27, 2024, Administrative Law Judge John C. Evans conducted a hearing in Raleigh, North Carolina, in accordance with N.C. Gen. Stat. § 150B-40(e), following the Respondent's request for the designation of an Administrative Law Judge to preside over an Article 3A contested case hearing.

**APPEARANCES**

**FOR PETITIONER:** Nathan Orion Taylor, *pro se*  
3059 N. Main Street, Ste. 104  
Hope Mills, NC 28348

**FOR RESPONDENT:** Jeffrey P. Gray  
Bailey & Dixon, LLP  
P.O. Box 1351  
Raleigh, North Carolina 27602  
Attorney for Respondent

**ISSUE**

Whether Respondent should suspend the Petitioner's alarm systems license for failure to register employees as required by N.C. Gen. Stat. § 74D-8, and 14B NCAC 17 .0301.

**APPLICABLE STATUTES AND RULES**

Official notice is taken of the following statutes and rules applicable to this case: N.C. Gen. Stat. §§ 74D-8, 74D-10, and 14B NCAC 17 .0101, et seq.

**EXHIBITS ADMITTED INTO EVIDENCE**

For Petitioner:       None  
For Respondent:       Resp Exhibit 1-2

**WITNESSES**

For Petitioner:       Nathan Orion Taylor  
For Respondent:       Paul Sherwin, Director of NC Alarms Systems Licensing Board  
                                  Darla Cole, Field Investigator for Private Protective Services

Based upon careful consideration of the exhibits admitted into evidence, the entire record in this proceeding, and the credibility and believability of witness testimony at hearing including the witnesses' credibility, demeanor, any interests, biases or prejudices, the opportunity of the witnesses to see, hear, know or remember the facts or occurrences about which the witnesses testified, and whether the testimony of the witnesses are reasonable and consistent with other believable evidence in the case, the undersigned finds as follows:

**PROPOSED FINDINGS OF FACT**

1. Nathan Orion Taylor, ("Petitioner"), holds an alarm systems license (License No. 2156-CSA).
2. North Carolina Alarm Systems Licensing Board ("Respondent") was established pursuant to N.C. Gen. Stat. § 74D-4, et seq., and is charged with the duty of licensing and registering individuals engaged in the alarm systems business.
3. In a letter dated November 20, 2023 ("Notice"), the Respondent informed the Petitioner that the Alarm Systems Licensing Board Grievance Committee made the recommendation to suspend the Petitioner's license for 90 days for failing to register 22 employees, as per N.C. Gen. Stat. § 74D-8 and that the Respondent had accepted the Committee's recommendation. It advised the Petitioner of his right to appeal the decision and request a contested case hearing, and that if he failed to request such hearing, the Respondent's findings would become final.
4. Petitioner timely appealed the Respondent's findings and a Notice of Hearing dated January 25, 2024, and sent via certified mail, notified the Petitioner of the contested case hearing regarding the suspension of his alarm systems license.
5. It is common procedure for the Respondent to conduct audits of alarm systems license holders. The Respondent typically resolves complaint investigations with identified violations using a standardized consent agreement, which includes a provision stating that the agreement could be used against the licensee in future disciplinary actions.

6. Petitioner was audited in 2022. In July 2023 a follow-up audit on the Petitioner was performed.
7. As part of the follow-up audit, a letter was sent to Petitioner, dated July 13, 2023, requesting information for the follow-up audit. Petitioner provided the requested documents, including the Employment Security Commission (ESC) report listing of employees. The role of each employee listed in the ESC report was identified to determine which employees needed to be registered. The ESC report list was compared to the list of employees currently registered in the alarm systems licensing online registration system and 22 employees were identified as either not registered or not registered within the statutory timeframe. Seven employees from the prior audit in 2022 were among the 22 employees identified as either not registered or not registered within the statutory timeframe. (Respondent's Exhibit 1; Field Investigative Report for 2023-ASLB-017)
8. Petitioner does not have a registration designee therefore it is the Petitioner's responsibility to register new employees using the online registration system.
9. Included in the investigation report was a list of prior disciplinary actions taken by the Respondent against the Petitioner. Those actions included the following:
  - a. Investigation #2022-ASLB-010 identified violations of N.C. Gen. Stat 74D-8 and 14B NCAC 17 .0206(b) for failing to register employees. A Consent Agreement was entered into that included a payment of \$3,672 paid on March 12, 2023.
  - b. Investigation #2016-ASLB-012 a multiyear registration audit documented numerous violations resulting in Consent Agreement including a payment of \$6,242.40.
  - c. Investigation #2014-ASL-030 identified a single registration violation and payment of \$183.40.
10. The standard audit procedure, which includes completing an investigation report by the inspector, several reviews of that report, and ultimately presentation to the Grievance Committee of the Respondent, was followed in this case.
11. At the conclusion of the registration audit investigation, which included a review of the Petitioner's previous audit history, the Respondent recommended suspending the Petitioner's license.
12. The Petitioner provided reasons for the failure to register employees in accordance with the statutory requirements. However, except for one employee located in South Carolina, he did not dispute the findings of the follow-up audit.



## PROPOSED CONCLUSIONS OF LAW

1. The parties are properly before the Tribunal in that venue, subject matter jurisdiction, and personal jurisdiction are proper, and there is no objection to Administrative Law Judge John C. Evans presiding over this matter.
2. N.C. Gen. Stat. G.S. § 74D-8(a)(1) states,

A licensee of an alarm systems business shall register with the Board within 30 days after the employment begins, all of the following employees that are within the State, unless in the discretion of the Director, the time period is extended for good cause:

  - a. Any employee that has access to confidential information detailing the design, installation, or application of any location specific electronic security system or that has access to any code, number, or program that would allow the system to be modified, altered, or circumvented.
  - b. Any employee who installs or services an electronic security system in a commercial business establishment or a personal residence.

Employees engaged only in sales or marketing, that does not involve any of the above, are not required to be registered.
3. Petitioner failed to register his employees in accordance with N.C. Gen. Stat. §74D-8, and there was no evidence of “good cause” presented that would have justified the extension of the time period for registration.
4. Pursuant to the authority of N.C. Gen. Stat. § 74D-10(a) the Respondent may suspend or revoke the Petitioner’s license for violating “a provision of this Chapter [74D].”
5. Petitioner’s extensive and repeated violations of the registration requirement demonstrates a willful disregard for the limited obligations and duties of an alarm systems license holder. Moreover, that disregard exposed the public to unnecessary risk to their personal safety and to the security of their possessions. *See* N.C. Gen. Stat. § 74D-11(f) (“The sale, installation, or service of an alarm system by an unlicensed or **unregistered person** constitutes a threat to the public safety...” (emphasis added))
6. The enforcement provisions of N.C. Gen. Stat. § 74D-11(b) provide that “Any person, firm, association, corporation, or department or division of a firm, association, or corporation or their agents and employees violating any of the provisions of this Chapter is guilty of a Class 1 misdemeanor. The Attorney General, or the Attorney General's representative, has concurrent jurisdiction with the district attorneys of this State to prosecute violations of this Chapter.”

7. Because of Petitioner's continuous violations, Respondent should suspend Petitioner's alarm systems license for a minimum 90 days.

### **PROPOSAL FOR DECISION**

Based on the foregoing Proposed Findings of Facts and Conclusions of Law, the undersigned hereby recommends that Respondent suspend the Petitioner's alarm systems license for a **minimum** of 90 days and recover the cost of the investigation.

### **NOTICE**

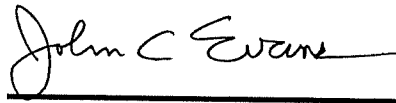
The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this Proposal for Decision, to submit proposed Findings of Fact and to present oral and written arguments to the agency. N.C.G.S. § 150B-40(e).

The agency that will make the final decision in this contested case is the North Carolina Alarm Systems Licensing Board.

A copy of the final agency decision or order shall be served upon each party personally or by certified mail addressed to the party at the latest address given by the party to the agency and a copy shall be furnished to any attorney of record. N.C.G.S. § 150B-42(a). A copy of the Final Agency Decision shall be forwarded to the Office of Administrative Hearings.

**IT IS SO ORDERED.**

This the 12th day of April, 2024.



John C Evans  
Senior Administrative Law Judge

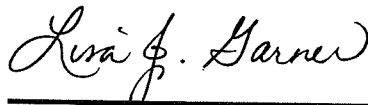
**CERTIFICATE OF SERVICE**

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:

Nathan Orion Taylor  
Taylored Control Systems  
3059 N Main St STE 104  
Hope Mills NC 28348  
Petitioner

Jeffrey P Gray  
Bailey & Dixon, LLP  
[jgray@bdixon.com](mailto:jgray@bdixon.com)  
Attorney For Respondent

This the 12th day of April, 2024.



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Lisa J Garner  
North Carolina Certified Paralegal  
N. C. Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh, NC 27609-6285  
Phone: 984-236-1850

01/19/2024

**FINAL INVESTIGATIVE REPORT**

**FILE NUMBER:**

2023-ASLB-017

**TO:** Alarm Systems Licensing Board

**FROM:** Investigator Darla G. Cole

**RE:**

**COMPLAINT FILED AGAINST:**

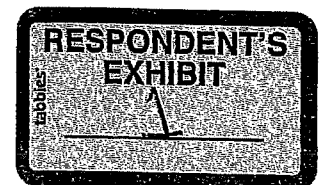
Nathan Orion Taylor  
Taylored Control  
Systems  
3059 N. Main St  
Ste 19 PMB104  
Hope Mills, NC 28348

**COMPLAINT FILED BY:**

Kim Odom  
3101 Industrial Drive  
Suite 104  
Raleigh NC 27609

## OVERVIEW

Nathan Taylor is the licensee/qualifying agent for Taylored Control Systems in Hope Mills. His license, #2156-CSA, is valid through 12/31/2023.



## INTRODUCTION

Nathan Taylor is the licensee/qualifying agent for Taylored Control Systems in Hope Mills. His license, #2156-CSA, is valid through 12/31/2023.

On 7/13/2023, Field Services Supervisor Kim Odom ordered a follow-up audit for Taylored Control Systems for the period from January 1, 2023 through March 31, 2023, at the direction of the board in 2022-ASLB-010. A complaint was filed against Taylor, alleging a violation of:

### 14B NCAC 17 .0206 RECORDS INSPECTION

(b) All licensees having registered employees shall submit a copy of their current quarterly Employment Security Commission form NCUI 101-625 to the Director's office at the same time the form is submitted to the Employment Security Commission and shall also submit a list of non-Employment Security Commission employees currently employed by the licensee with the dates of employment. In lieu of submitting copies of the quarterly reports, within 10 days of a request by the Board, a licensee shall provide its Employment Security Commission account number along with the personal identification number (PIN) so that the Board may access the data electronically. Those licensees who do not submit an Employment Security Commission NCUI form 101-625 shall submit the names of their employees on a form provided by the Board. The licensee of a firm, association, or corporation that includes a licensed department or division shall also submit additional documentation as required by Paragraph (c) of this Rule.

An audit letter was mailed to Taylor on 7/13/2023. The requested documents were provided through email by Taylored Control Systems in a timely manner.

The following procedures were used in order to conduct a special review of these allegations:

Interviews:

Nathan Taylor, #2156-CSA

## Documents Reviewed:

- ASLB Complaint #2023-ASLB-017
- ASLB Complaint #2022-ASLB-010
- ASLB Complaint #2016-ASL-012
- ASLB Complaint #2014 -ASL-030
- Permitium
- PPS 2000
- Company website (<https://www.tcsalarms.com/>)
- Company Facebook page (<https://www.facebook.com/taylorredcontrolsystems/>)
- Company ESC reports for the first quarter of 2023 (Jan. 1- March 31, 2023)
- N.C. Secretary of State business registration search page ([https://www.sosnc.gov/online\\_services/search/Business\\_Registration\\_Results](https://www.sosnc.gov/online_services/search/Business_Registration_Results))

## WITNESS STATEMENTS AND INTERVIEWS

**Nathan Taylor, #2156-CSA**

Most communication with Taylor was conducted through email, after my review of the company's ESC reports for the first quarter of 2023. My initial review of the reports compared against Permittum records found that while many of the employees were registered as required, the vast majority were not registered within the 30-day time period required by law. For most of the late registrations, which were submitted in March, a note from Taylor was attached stating that the company had put together "a mail packet" for the registrations but "had just learned" that ASLB did not take mail-in registrations. This was an issue that Taylor and I had discussed thoroughly in November 2022 as part of 2022-ASLB-010 and he was aware of this when he appeared before the board in November 2022 and advised that a follow-up audit would be conducted.

Taylor stated that he had told his team that they were to have the registrations done by January and that they were going to have another audit after the first quarter.

"At the time we had hired a HR person that was highly qualified and seemed determined to get things done," he stated. "I signed for everyone we had working in the burglar alarm side of our business along with those who were indirectly attached to the burg division. I personally worked through getting the first several done. I cannot believe that Jennifer and her team did not complete this as I made such a big deal about it."

After reviewing the ESC reports with Taylor, there were several people that we could take off of the records because they were either fire alarm technicians only or office workers with no access to security records. Taylor shared his notes between his staff on other workers that I had questioned. From those notes, it was apparent that Taylor thought his staff had completed registrations on various individuals when they had not, and he was not aware that several of the registrations that were submitted had been denied. A review of Permittum shows that there is no designee for the company and that all registrations had been submitted under Taylor's login. I expressed my concerns to Taylor about this and the need for him to have a designee if he was not actually doing the registrations himself or if he was not physically present to supervise the registrations. Taylor stated that he would "personally audit and witness every entry or reentry into the application process." He also said he would be getting all of the required registrations completed and review current and recent hires.

After the review and email clarifications from Taylor, I found a total of 22 registration violations for employees who were either not registered in the statutory timeframe or who were never registered. Seven (7) of those violations were employees who were included in the consent agreement for 2022-ASLB-010. However, that agreement covered registration violations for 2021 and these employees were still not registered in a timely manner, even after the 2022 consent agreement. Five (5) of them were not registered until March 2023 and two (2) were not registered at all.

A preliminary consent agreement for \$4,488 was sent to Taylor. As of Nov. 1, 2023, the preliminary consent had not been signed or returned by Taylor.

During the course of the investigation, I located and viewed the website for Taylored Control Systems. The website address is <https://www/tcsalarms.com>. The website advertises fire alarm systems, security systems, video surveillance system, access control, and "24/7 alarm monitoring."

I also viewed the Facebook page for Taylored Control Systems (<https://www.facebook.com/tayloredcontrolsystems>), which features the logo TCS Fire & Security as its cover picture. The page states that "TCS is the trusted source in custom security for Residential, Government, and Commercial properties."

The N.C. Secretary of State business search webpage lists Taylored Control Systems as "current-active." The business was established with the SOS in 2008 as a limited liability company.



## LICENSING/REGISTRATION HISTORY

Taylor and the company, Taylored Control Systems, have been licensed by the board since 2009. Taylor's license is valid through 12/31/2023.

The low voltage electrical license for the company, SP.FA/LV.28454, lists Taylor as the qualifier. The license expires 8/17/2024.

## DISCIPLINARY ACTIONS

Taylor has been involved in three previous complaints that involved consent agreements.

In 2022-ASLB-010, the board found Taylor in violation of NCGS 74D-8 and 14B NCAC 17/0206(b) after an audit for January through December 2021. A consent agreement was entered for the amount of \$3,672 for 18 registration violations and a follow-up audit was ordered for the first quarter of 2023. The case was heard by the board on 11/17/2022.

The consent agreement was paid on March 13, 2023.

In 2016-ASL-012, Taylor was involved in a multi-year registration audit that resulted in numerous violations. An initial consent agreement of \$9,180 was agreed to at the November 2016 board meeting but that was rescinded at the January 2017 board meeting after Taylor presented an action plan. A new consent agreement for \$6,242.40 was agreed to at that meeting.

The corrective action plan provided by Taylor stated:

"After being informed of the audit and realizing that our company was lacking when it came to the application process, we put into place the following procedures and policies.

- The previous co-licensee's employment has been terminated. From 2011-2015, it was that person's responsibility to collect and file the applications.
- New employment packets come with a checklist for each needed document.
- New employees are required to have fingerprinting performed before first day of work.
- Information is requested in order for HR to run online background check using [ppsbcheck.criminalrecordscheck.com](http://ppsbcheck.criminalrecordscheck.com).
- If any information or documentation is lacking from the employees file in order to file with the NCASLB, employee is not allowed to return to work until paperwork is provided.
- A spreadsheet has been populated that tracks application status, needs, and expirations.
- After completing the day's scheduled appointments, employees earn Jade Learning CE credits at the office on a company computer.
- TCS will be subdividing in order to distinguish between those technicians that install alarms systems and those that perform LV wiring only. 60-70% of TCS's workload does not require an NCASLB license."

Taylor had previously entered into a consent agreement for \$183.40 in 2014 (2014-ASL-030) for a single registration violation and agreed to "refrain from using Mr. Robert R. McWaters with Eagle Watch Community Patrol to refer clients."

## SUMMARY OF INVESTIGATION

Nathan Taylor is the licensee/qualifying agent for Taylored Control Systems in Hope Mills. His license, #2156-CSA, is valid through 12/31/2023.

On 7/13/2023, Field Services Supervisor Kim Odom ordered a follow-up audit for Taylored Control Systems for the period from January 1, 2023, through March 31, 2023, at the direction of the board in 2022-ASLB-010.

An audit letter was mailed to Taylor on 7/13/2023. The requested documents were provided through email by Taylored Control Systems in a timely manner.

I reviewed the company's ESC reports for the first quarter of 2023 and compared them against registration records in Permltum. My initial review found that while many of the employees were currently registered, the vast majority were not registered within the 30-day time period required by law. For most of the late registrations, which were submitted in March, a note from Taylor was attached stating that the company had put together "a mail packet" for the registrations but "had just learned" that ASLB did not take mail-in registrations. This was an issue that Taylor and I had discussed thoroughly in November 2022 as part of 2022-ASLC-010.

After the review and email clarifications from Taylor, I found a total of 22 registration violations for employees who were either not registered in the statutory timeframe or who were never registered. Seven (7) of those violations were employees who were included in the consent agreement for 2022-ASLB-010. However, that agreement covered registration violations for 2021 and these employees were still not registered in a timely manner, even after the 2022 consent agreement. Five (5) of them were not registered until March 2023 and two (2) were not registered at all.

A preliminary consent agreement for \$4,488 was sent to Taylor.

All statements contained in this report are in summary and are not verbatim.

## VIOLATIONS

NCGS 74D-8. Registration of persons employed.



**North Carolina Department of Public Safety**  
**Alarm Systems Licensing Board**

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

Stephen Wheeler, Chair  
 Paul Sherwin, Director

**COMPLAINT FROM**  
 Kim Odom

November 20, 2023

**COMPLAINT AGAINST**  
 Nathan Orion Taylor  
 Taylored Control Systems  
 3059 N. Main Street  
 Ste. 19, PMB 104  
 Hope Mills, NC 28348

**CASE NUMBER**  
 2023-ASLB-017

**BOARD FINDINGS**

**RE:** Review of Complaint by the Alarm Systems Licensing Board

**STATUTE / RULE:** Possible Violation(s) of NCGS 74D-2

This Notice is to inform you that the above-referenced Complaint was presented to the Grievance Committee on Thursday, November 16, 2023, for its informal review. The Committee made the following recommendation:

*Find violation of NCGS 74D-8. Suspend Nathan Taylor's license for 90 days for failure to register 22 employees. Taylor is to appear before the Screening Committee before his license is renewed or reinstated.*

On November 16, 2023, the Alarm Systems Licensing Board took the following action:

*Accepted.*

If you wish to appeal the Board's finding(s) in this matter and file for a contested case before the N.C. Office of Administrative Hearings, please notify the ASLB Licensing Section in writing within sixty (60) days of receipt of this letter. Should you fail to request a hearing within sixty (60) days of receipt of this letter, the Board finding will become final.

Any further questions about this matter should be directed to the Licensing Section of this office.

Sincerely,

Stephen Wheeler  
 Chairperson

Paul Sherwin  
 Director

cc: Kim Odom, Nathan Orion Taylor

**MAILING ADDRESS:**  
 3101 Industrial Drive, Suite 104  
 Raleigh, NC 27609



[www.ncdps.gov/asl](http://www.ncdps.gov/asl)  
 An Equal Opportunity employer

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Email: [ppsasl@ncdps.gov](mailto:ppsasl@ncdps.gov)

