



# Structural Pest Control Bulletin

Steve Troxler, Commissioner

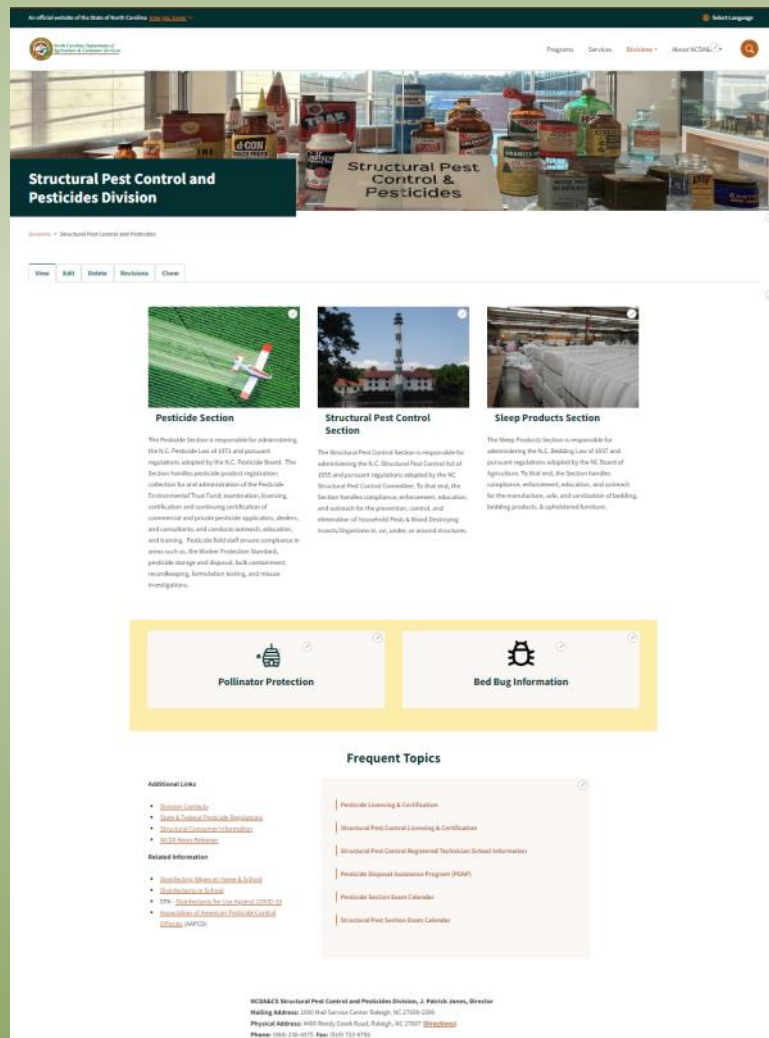
Fall 2023

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## We Have a New Website

After months of planning and hard work on the part of dozens of employees, the North Carolina Department of Agriculture and Consumer Services will be debuting a new Departmental website on December 6, 2023. We have made great effort to present the material on our webpages in a more coherent and streamlined manner. We also recognize that people of all ability levels need access to this important information, so it is displayed to facilitate access for all. We encourage you to visit the NCD&CS Structural Pest Control & Pesticides Division pages at: [www.ncagr.gov/divisions/structural-pest-control-and-pesticides](http://www.ncagr.gov/divisions/structural-pest-control-and-pesticides).



## Current Structural Pest Control Committee

|  |  |
|--|--|
| <p><b>Patricia Alder</b><br/>NCSU Appointee<br/>919-513-3805<br/>pmalder@ncsu.edu</p>                          | <p><b>H. Burns Blackwell</b><br/>G.A. President Pro Tem Appointee<br/>336-621-6212<br/>burns@terminix-triad.com</p>      |
| <p><b>Phillip G. Clegg</b><br/>Governor Appointee<br/>919-477-2134<br/>philclegg@cleggs.com</p>                | <p><b>H. Allen Langley</b><br/>G.A. Speaker Appointee<br/>704-482-2847<br/>halangley@hhpci.com</p>                       |
| <p><b>Jonathan Lanier—Chairman</b><br/>NCD&amp;CS Appointee<br/>919-707-3010<br/>jonathan.lanier@ncagr.gov</p> | <p><b>Pierre Lauffer</b><br/>NC DHHS Appointee<br/>919-707-5962<br/>pierre.lauffer@dhhs.nc.gov</p>                       |
| <p><b>Shawn Lucas</b><br/>Governor Appointee<br/>252-315-9962<br/>shwnlcs14@gmail.com</p>                      | <p><b>Andy Miller</b><br/>NCD&amp;CS Appointee<br/>919-571-4183 x213<br/>andy.miller@nclbgc.org</p>                      |
| <p><b>William A. Tesh</b><br/>Governor Appointee<br/>336-272-4400<br/>btesh@pestmgt.com</p>                    | <p><i>Full contact information can be found on our website at: <a href="#">Structural Pest Control Committee</a></i></p> |

### **2024 NCPMA Pest Control Technician's School**

The 74<sup>rd</sup> Annual North Carolina Pest Control Technicians School is being held January 22<sup>nd</sup> - January 25<sup>th</sup> hosted by the North Carolina Pest Management Association (NCPMA). Approximately 1000 Structural Pest Control industry members made their way to the Sheraton Imperial in Durham for last year's event and NCPMA expects even more this year. Come meet fellow industry representatives, learn about new pest control technologies being developed, and earn some Continuing Certification Units towards your credential requirements. Information about the 2024 PCT School can be found at: [2024 Pest Control Technician's School](#)

**Note:** Please make sure to check your transcript prior to attending PCT School to determine your CCU obligations. <https://apps.ncaqr.gov/AqRSysPortalV2/licensesearch>

## Structural Pest Control Committee 2023 Declaratory Ruling

On March 29, 2023, Aptive Environmental, LLC (Petitioner) served the North Carolina Structural Pest Control Committee (the Committee) with a Petition for Declaratory Ruling (the Petition). On April 25, 2023, the Committee granted the Petition in accordance with North Carolina General Statute § 150B-4(a)(l) and a final ruling was issued on June 9, 2023 by the Committee.

- ***ISSUE I: Whether the Structural Pest Control Act of North Carolina of 1955 (Chapter 106, Article 4C of the North Carolina General Statutes) and its associated rules (Title 02, Chapter 34 of the North Carolina Administrative Code) requires Aptive Environmental, LLC, as a structural pest control licensee, to have its sales representatives be employed as "employees" if they are selling or soliciting structural pest control services.***

The Petition and discussion before the Committee centered on in-person/door-to-door sales. Therefore, the Committee's declaratory ruling is limited to answering whether those selling or soliciting structural pest control through in-person/door-to-door sales must be an "employee." This ruling is further limited to whether the person must be an "employee" in the context of, and as defined by, the Act and its associated rules and does not address other aspects of the employment relationship. Additionally, Furthermore, the Committee's declaratory ruling is with regards to situations in which the sales person completes a transaction with the customer by entering into a contract for the performance of a structural pest control service.

***ANSWER I:*** Yes, if an individual is acting as an estimator, salesman, serviceman, or solicitor for structural pest control, the individual must either hold a structural pest control license or be an employee of a company that has engaged the services of a licensee as a full-time regular employee, such that the individual selling or soliciting is subject to the direction, control, and oversight of the license holder.

The Act defines an "employee" as "any person employed by a licensee with the exceptions of clerical, janitorial, or office maintenance employees, or those employees performing work completely disassociated with the control of insect pests, rodents or the control of wood-destroying organisms." N.C.G.S. § 106-65.24(9).

The entire purpose of the type of sale/solicitation at issue is to enter into a contract for the performance of structural pest control, meaning providing services for the control of insect pests, rodents and/or wood-destroying organisms. Additionally, the sale and solicitation of structural pest control, directly to a customer while at the property where the services will be performed, inherently requires the sales person to identify infestations and inspect the property. To find otherwise would contemplate a situation in which a sales person is simply selling the customer structural pest control with no regard for whether the services contracted for were necessary or appropriate under the circumstances. Such a practice would be directly contrary to the public interest and result in unsuspecting customers being deceived into paying for unnecessary or inappropriate structural pest control services. Therefore, estimators, salespersons, and solicitors are performing "structural pest control" and are not exempt from the statutory definition of an "employee."

The word "independent contractor" does not appear in the Act. However, 02 NCAC 34 .0331(a) states that "[p]ersons engaged in ancillary activities in association with control of household pests or wood-destroying organisms as indicated in Paragraph (c) of this Rule may be an employee, independent contractor, or otherwise, for one or more structural pest control licensees and are exempt from structural pest control license requirements." The exempt ancillary activities are specifically limited to those duties listed in 02 NCAC 34 .0331 ( c ), which notably does not list acting as a sales person, solicitor, or estimator. The Committee finds this omission as evidence of an intent to keep those individuals engaged in the sale and solicitation of structural pest control subject to the Act's licensing requirements.

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N.C.G.S. § 106-65.31(b) speaks exclusively in terms of an "employer" and an "employee." Consistent with this language, 02 NCAC 34 .0313(b), which sets forth some of the identification card's contents and requirements, is phrased in terms of "the license of the employer of the card holder" (emphasis added). Similarly, 02 NCAC 34 .0904(d) state "No licensee shall advertise, in any way or manner, as a contractor for structural pest control services, in any phase of work for which he or she does not hold a valid license as provided for under G.S. 106-65.25(a), unless said licensee shall hold a valid certified applicator's identification card or registered technician's identification card, as provided for under G.S. 106-65.31, as an employee of a person who does hold a valid state license covering phases of structural pest control work advertised" ( emphasis added). The Committee likewise finds the use of the word "employee" in these provisions as evidence of an intent to have these sales persons operating as employees of a responsible structural pest control license holder ( or a company that has engaged the services of a license holder as a full-time employee).

Therefore, in light of these definitions and regulatory framework, the Committee finds that the Act and its associated rules requires that those selling structural pest control services must be an employee of the individual or business that holds the structural pest control license for whom they will be selling, such that the responsible license holder can control and direct the manner in which they conduct their sales activity. Allowing a person that is not an employee of a license holder ( or a company that has a license holder as a full-time employee) to sell structural pest control violates and undermines numerous legal requirements aimed at protecting the public.

First, if the sales person is not operating subject to the supervision, direction, and control of the structural pest control license holder, then the license holder is violating their duty to control the structural pest control and structural pest control activities conducted under their license

One of the main ways the consumer protection goals of the Act are achieved is by requiring businesses engaged in structural pest control to have a structural pest control license holder that is responsible for the activities conducted under their license. See N.C.G.S. § 106-65.25(c)(2) ("[i]t shall be unlawful for any licensee to ... [f]ail to supervise the structural pest control performed out of the licensee's home office or any branch office under the licensee's management"). "It shall be a violation of the rules of the Committee for any license holder to fail to adequately control, direct, and supervise the structural pest control activities of his/her office or employees." 02 NCAC 34 .0325(e) (emphasis added). "Supervision" requires "oversight by the licensee of the structural pest control activities performed under that license." 02 NCAC .0102(51). Therefore, Act and the Committee's rules show a requirement and an intent to have a responsible structural pest control license holder who controls and answers for the activities performed under their license.

As previously discussed, sales and solicitation are not listed as one of the "ancillary activities" that are specifically authorized to be performed by independent contractors and are exempt from the structural pest control license requirements. See 02 NCAC 34 .0331. While "independent contractor" is not defined, North Carolina's Court of Appeals has stated "An independent contractor, as distinguished from an employee, is 'one who exercises an independent employment and contracts to do certain work according to his own judgment and method, without being subject to his employer except as to the result of his work.'" *Yelverton v. Lamm*, 94 N.C. App. 536,538, 380 S.E.2d 621,623 (1989) (internal citation omitted). "The test in determining a worker's status is whether the employer has the right to control the worker with respect to the manner or methods of doing the work or the agents to be employed in it, or has the right merely to require certain results according to the parties' contract." *Id.* It is impossible for a sales person to be operating under the license holder's supervision when they are an independent contractor who by definition operates independent of the license holder's control and direction. Therefore, the Committee finds it impossible for a license holder to fulfill their mandatory supervision requirements if they do not have the authority to direct and control the activities of the individual selling and contracting for structural pest control on the licensee's behalf.

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Second, if these estimators, sales persons, or solicitors are allowed to operate as non-employees, it would mean these individuals are never required to obtain identification cards pursuant to N.C.G.S. § 106-65.31(b) because they are not "employees." The requirement in N.C.G.S. § 106- 65.31 (b 1 ), that employees selling structural pest control obtain an identification card that is directly tied to the license of their employer, is a consumer protection mechanism to ensure that individuals selling/contracting for structural pest control are doing so under the supervision of a properly licensed individual responsible for their actions.

It would be contrary to the statutory language of N.C.G.S. § 106-65.31(b) and the Act's stated purpose to allow a license holder/company to completely bypass the identification card requirements by simply titling the individual as something other than an "employee." To find that a company can completely avoid this obligation by making their sales persons something other than an "employee" would make the identification card requirement, and the consumer protection benefits it brings, entirely optional. This would unfairly allow individuals engaged in identical structural pest control activities to operate under a vastly different set of rules.

Additionally, allowing sales persons to bypass the identification card requirements would allow individuals to sell structural pest control without completing any of the training required by 02 NCAC 34 .0313(c) - (f). This training is necessary to help sales representatives understand the unique structural pest control services that they are selling and what services may be appropriate for a given customer.

Furthermore, not requiring sales persons and solicitors to obtain identification cards leads to a lack of transparency and documentation as to who these individuals actually are and who is responsible for their conduct. This creates confusion and an inability of the Committee, and private citizens, to locate and hold responsible individuals that commit violations of the law while selling structural pest control. Furthermore, a sales representative attempting to solicit sales while wearing the uniform of a company where they are not employed is deceptive and creates consumer confusion.

In addition to identifying and locating the responsible individual, allowing sales persons to be independent contractors could result in a license holder claiming that they have no responsibility for any violations of the Act or its associated rules committed by the non-employee sales person. In discussing the liability of an employer for actions committed by employees and independent contractors, the North Carolina Court of Appeals has stated "[i]f the requisite right to control is found to exist, then an employer is held liable, albeit vicariously, for the negligent acts of its agents, servants, or employees which cause injuries to third persons; but an employer is not liable to third parties for the negligence of an independent contractor." *Id.* Allowing a license holder/company to bypass their responsibility for its sales persons by calling them something other than an "employee" was not contemplated by the language of N.C.G.S. § 106-65.31(b) or the Committee's rules. See e.g. 02 NCAC 34 .0313 (setting requirements for identification cards in terms of "employer" and "employee"); .0325 (setting duties to control activities of "employees"); .0902(a) (setting financial responsibility requiring an insurance policy for "employees that work for the licensee"); .0904 (setting prohibited acts for "employees"); and .1001(a) (setting time to commence a disciplinary action against an "employee of a licensee").

Such a practice fails to protect the public from the type of deception, fraud and unfair trade practices the Act seeks to prohibit and would be detrimental to the Committee's ability to take enforcement actions against the license holder for violations committed by the non-employee sales person. Therefore, the Committee finds that allowing for such non-employee sales persons is contrary to the plain language of N.C.G.S. § 106-65.31 (b 1) and would create an illogical result.

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Finally, if these non-employee estimators, sales persons, or solicitors offer to engage in structural pest control, it would constitute a violation of N.C.G.S. § 106-65.25(b)(1), which states that "it unlawful for any person to "[a]dvertise as, offer to engage in, or engage in or supervise work as a manager, owner, or owner-operator in any phase of structural pest control or otherwise act in the capacity of a structural pest control licensee unless the person is licensed pursuant to this Article or has engaged the services of a licensee as a full-time regular employee who is responsible for the structural pest control performed by the company." N.C.G.S. § 106-65.25(b)(1). Therefore, for a company to lawfully offer to engage in structural pest control, they must have a full-time regular employee that holds a valid structural pest control license. If the sales person is an employee of a separate company that has not engaged the services of a licensee as a full-time regular employee, then a violation has occurred. Additionally, if the license holder is allowing the non-employee sales person or another company to sell under their structural pest control license, it would constitute a violation of N.C.G.S. § 106-65.25(c)(3), which states that it is "unlawful for any licensee to . . . [ a ]llow his or her license to be used by any person or company for which he or she is not a full-time regular employee actively and personally engaged in the supervision of the structural pest control performed under the license."

For all of the reasons stated above, in the best interests of the public, and consistent with the stated intent and plain statutory language of the Act, the Committee finds that if an individual is acting as an estimator, salesman, serviceman, or solicitor for structural pest control, the individual must either hold a structural pest control license or be an employee of a company that has engaged the services of a licensee as a full-time regular employee, such that the individual selling or soliciting is subject to the direction, control, and oversight of the license holder.

- ***ISSUE II: Whether the Structural Pest Control Act of North Carolina of 1955 (Chapter 106, Article 4C of the North Carolina General Statutes) and its associated rules (Title 02, Chapter 34 of the North Carolina Administrative Code) requires Aptive Environmental, LLC, as a structural pest control licensee, to include the notice-of-cancellation set forth in North Carolina General Statute § 14-401.13 when applicable in its consumer contracts for structural pest control.***

The Committee's declaratory ruling on this issue is strictly limited to interpretation of the Structural Pest Control Act of North Carolina) (the Act) and its associated rules as these are the extent of the Committee's jurisdiction. The Committee makes no finding or determination as to the general applicability of N.C.G.S. § 14-401.13 with regards to contracts that involve structural pest control. Nothing in this declaratory ruling shall prohibit or require the prosecution of an individual entering into a consumer contract for structural pest control in violation N.C.G.S. § 14-401.13 and the Committee strongly encourages all those engaged in structural pest control to comply with this statute and all other applicable state, federal, and local laws, rules, and regulations.

***ANSWER II:*** Neither the Structural Pest Control Act of North Carolina of 1955 (Chapter 106, Article 4C of the North Carolina General Statutes) nor its associated rules (Title 02, Chapter 34 of the North Carolina Administrative Code) includes or incorporates N.C.G.S. § 14-401.13 and enforcement of this statute is beyond the jurisdiction of the North Carolina Structural Pest Control Committee.

N.C.G.S. § 14-401.13 makes it a Class 3 misdemeanor for any seller engaged in off-premises sales to fail to provide the buyer with certain language informing the buyer of their right to cancel the transaction. N.C.G.S. § 14-401.13 is not codified within the Act setting out the Committee's authority/jurisdiction and has not been incorporated into the Committee's rules by reference. Therefore, the Committee finds it does not currently have the authority to take regulatory action for violations of N.C.G.S. § 14-401.13.

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However, the Committee notes that while it does not have currently the authority to enforce N.C.G.S. § 14-401.13 directly, violations of this provision in the language used in contracts for structural pest control may otherwise result in a disciplinary enforcement action by the Committee. Untrue or misleading contract language that violates N.C.G.S. § 14-401.13 may also rise to the level of a "[ m ]isrepresentation for the purpose of defrauding; deceit or fraud; the making of a false statement with knowledge of its falsity for the purpose of inducing others to act thereon to their damage; or the use of methods or materials which are not reasonably suitable for the purpose contracted" in violation of N.C.G.S. § 106-65.28(a)(l). Additionally, 02 NCAC 34 .0101(a)(l) requires that "[ a ]11 licensed structural pest control operators shall faithfully and honestly carry out the provisions and terms of all contracts into which they enter for the control of structural pests."

## Inspector's Corner (by David Propoggio)

Structural pest control is a crucial industry that helps protect homes and businesses from the damage caused by pests, such as termites, rodents, and insects. However, the success of this industry relies heavily on the ethical conduct of its Salespersons. The NCDA&CS/Structural Pest Control & Pesticide Division would encourage Pest Control Salespersons to adhere to these Do's and Don'ts while maintaining the highest standards of professionalism and ethics.

### The Do's for Pest Control Salespersons

#### Licensing and Certification:

- All employees within 75 days of hire must have 24 hours on the job training, complete the Registered Technicians Workbook and attend the Registered Technician School. If seasonally employed, the days employed are cumulative meaning if you've worked 60 days this year, you could only work 15 more days next year or next time, before you must meet the requirements and obtain a credential. (GS 106-65.31)
- Do stay updated on any changes in licensing requirements or industry standards to ensure you remain in compliance. Compliance with these regulations is a fundamental requirement.

#### Honesty and Transparency:

- Do provide customers with accurate information about the pest problem, treatment options, costs, and expected results.
- Do clearly explain the terms and conditions of proposals/service contracts, including warranties and guarantees. (02 NCAC 34 .0601)

#### Inspection and Assessment:

- Do perform a thorough inspection of the property before recommending any specific treatment or specific pest control plan.
- Do take time to educate the customer about the pests involved, the potential risks, and the available solutions.

#### Integrated Pest Management (IPM):

- Do promote Integrated Pest Management (IPM) practices that emphasize non-chemical solutions whenever possible. While not required by statute, it does lend to best management practices within the industry.
- Do encourage customers to take preventative measures to minimize future pest issues, such as sealing cracks, addressing conducive conditions, and maintaining cleanliness.

#### Written Contracts:

- Do provide customers with written proposals/contracts that outline all services, costs, and any guarantees or warranties.
- Do make sure customers have a clear understanding of the proposal/contract and are given a copy for their records.

### The Don'ts for Pest Control Salespersons

#### Unscrupulous Sales Tactics:

Unscrupulous sales tactics involve using manipulative or unethical methods to persuade customers to purchase pest control services. These tactics can be harmful to customers and the reputation of the pest control industry as a whole. Examples of unscrupulous sales tactics to avoid:

- High-Pressure Sales—High-pressure sales tactics involve putting intense pressure on customers to make quick decisions. Do not claim that the pest problem is an emergency and needs immediate attention if it's not the case.
- Fear Mongering—Some salespeople resort to fear-mongering by exaggerating the severity of a pest infestation or its potential health risks. Don't instill fear by using misleading images or stories of extreme cases to convince customers that immediate action is the only solution.
- Bait-and-Switch—Bait-and-switch involves luring customers in with an attractive offer or low price, then presenting them with a more expensive service or additional charges after they are committed.
- Misleading Promotions—Salespersons may offer promotions or discounts that come with hidden terms and conditions, making it difficult for customers to fully benefit from the advertised deal.

#### Misrepresentation:

Misrepresentation occurs when salespersons provide false or misleading information to customers about themselves, their services, or the pest problem (02 NCAC 34.0904 Prohibited Acts). Such practices can erode trust and have serious legal and ethical implications. Examples of misrepresentation:

- Falsifying Qualifications and Experience—Some salespeople may exaggerate their qualifications, certifications, or years of experience in the pest control industry to appear more knowledgeable and trustworthy. Misrepresenting qualifications can lead to customers trusting unqualified individuals with their pest control needs.
- False Endorsements—Salespersons may falsely claim endorsements, certifications, or partnerships with reputable organizations or agencies to gain credibility. Customers rely on such endorsements for assurance, and false claims can mislead them into choosing a less reputable service provider.
- Overstating Product Effectiveness—Misrepresentation can also occur when Salespersons overstate the effectiveness of their pest control products or methods. For instance, claiming that a particular pesticide is entirely safe for humans and pets when it is not can lead to health risks.

#### Concealing Information:

- Salespersons should provide customers with complete and accurate information about the pest control process, including potential risks, possible side effects, and any necessary preparations. Failing to disclose vital information can lead to misunderstandings and dissatisfaction.

Structural pest control salespersons play a vital role in maintaining the integrity of the pest control industry. Companies would be wise to establish guidelines and standards to ensure that these professionals act ethically and responsibly. By adhering to the do's and avoiding the don'ts outlined by the NC Structural Pest Control & Pesticides Division, pest control salespersons can build trust with their customers, contribute to the industry's positive reputation, and ensure that homes and businesses remain safe from pests. Remember, compliance with regulations and ethical behavior are not only legal requirements but also essential for the long-term success of the pest control business.



## SPC Additions & New Roles

- **Rebecca Kalishek**— In November 2023, the Division recognized the untapped potential of Rebecca and shifted her into the role of Division Graphic Design & Outreach Coordinator. While her time was short in the Structural Pest Control section, she enjoyed her time with us and we look forward to her continuing to support us in new ways.
- **Patrick Walsh**— Patrick resigned his position as the Region 3 field inspector in September 2023. Even though his time with us was short, we appreciate his efforts to support NCDA&CS and the pest control industry.

## The More You Know

- ⇒ Per GS 106-65.31(b1) “Registration. - Within 75 days after the hiring of an employee who is either an estimator, salesman, serviceman, or solicitor, the licensee shall apply to the Division for the issuance of an identification card for such employee.” We are making it a point of emphasis to ensure all persons affected by this Act have the required credentials.
- ⇒ We have begun the process of identifying the additional Registered Technician Training Program requirements needed to fulfill the 2017 EPA Rules revision. Once developed, these mandatory elements will be included in the NCDA&CS led RT School **AND** the RT Equivalency programs.
- ⇒ Our Field Inspectors, Managers, & Administrative team have a variety of on-demand training presentations available for your company. Examples include: WDIR-100, Waiver, Service Vehicle Inspections/ Safety, & Pre-Construction Treatments. We can also create training for your specific needs. Contact a member of the NCDA&CS Structural Pest Control Section staff for additional details.
- ⇒ Per NC structural statutes, written notification to the Division must be made within 10 days for the following changes:
  - Business Address Change
  - Company Name Change
  - Employer Change
  - Telephone # Change
  - Sale of Business
  - Closure of Business
- ⇒ We periodically update documents to better capture necessary information; therefore the Division requires current versions of forms, applications, etc. to be the only forms submitted. Please ensure you are using the correct form to prevent any delay in processing your requests.

## N.C. Structural Pest Control Committee Announces Case Settlements

RALEIGH –The N.C. Structural Pest Control Committee approved settlement agreements for eleven cases in Edgecombe, Gaston, Guilford, Mecklenburg, New Hanover, Polk, & Richmond counties at the **August 10, 2023** meeting held in Raleigh, at the Steve Troxler Agricultural Sciences Center. Following are the agreements:

- Chandler Banks, a structural pest control licensee of Royal T Pest Control in High Point, agreed to pay \$600 for engaging in or supervising structural pest control work as a manager without having a valid license and failure to pay the original or renewal license fee when due and continuing to operate as a licensee.
- Gregory Brown, a structural pest control licensee for Brown Termite & Pest Control in Rockingham, agreed to pay \$1,600 for failing to supervise the structural pest control performed out of his home office or any branch office under licensee’s management and failure to furnish the property owner a written proposal describing the type and quality of work.
- Kenneth Motes, who works for Brown Termite & Pest Control in Rockingham, agreed to pay \$800 for using a pesticide inconsistent with its labeling.
- Jon Neigenfind, a structural pest control licensee for Horizon Pest Management in Cherryville, agreed to pay \$1,000 for engaging in or supervising structural pest control work as a manager without having a valid license and failure to pay the original or renewal license fee when due and continuing to operate as a licensee.
- Caleb Maggi, a structural pest control licensee for Grey Wolf Pest Control in Matthews, agreed to pay \$1,600 for engaging in or supervising structural pest control work as a manager without having a valid license and failure to pay the original or renewal license fee when due and continuing to operate as a licensee.
- Angus Trott, a structural pest control licensee for Port City Pest in Wilmington, agreed to pay \$1,600 for failing to supervise the structural pest control performed out of his home office or any branch office under licensee’s management and using a pesticide inconsistent with its labeling.
- Jonathan Anderson, a structural pest control licensee for Xterminator Pest Control in Tarboro, agreed to pay \$1,200 for engaging in or supervising structural pest control work as a manager without having a valid license and failure to pay the original or renewal license fee when due and continuing to operate as a licensee.
- Chase Hazelwood, a structural pest control licensee for Go-Forth Pest Control in Greensboro, agreed to pay \$800 for failing to supervise the structural pest control performed out of his home office or any branch office under licensee’s management and using a pesticide inconsistent with its labeling.

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- Jarrod Vannoy, who works for Go-Forth Pest Control in Greensboro, agreed to pay \$800 for use of a pesticide inconsistent with its labeling and applying pesticide for the purpose of structural pest control where the conditions at the site of application favor drift or runoff from the target site.
- Leland J. Worley, a structural pest control licensee for Recon Pest Control in Tryon, agreed to pay \$2,000 for engaging in or supervising structural pest control work as a manager without having a valid license and failure to pay the original or renewal license fee when due and continuing to operate as a licensee.
- Chris Mehalic, a structural pest control licensee for Truly Nolen in Charlotte, agreed to pay \$6,000 for engaging in or supervising structural pest control work as a manager without having a valid license and failure to pay the original or renewal license fee when due and continuing to operate as a licensee.



## N.C. Structural Pest Control Committee Announces Case Settlements

RALEIGH –The N.C. Structural Pest Control Committee approved settlement agreements for six cases in Durham, Mecklenburg, and Wake, counties at the **November 29, 2023** meeting held in Raleigh, at the Steve Troxler Agricultural Sciences Center. Following are the agreements:

- Brendon Cordell, a structural pest control licensee for Mosquito Tek in Durham, agreed to pay \$6,000 for engaging in or supervising structural pest control work as a manager without having a valid license, failure to adequately control, direct, and supervise the structural pest control activities of their office, failure to pay the original or renewal license fee when due and continuing to operate as a licensee, and failure to secure identification cards for all existing employees who engage in structural pest control work.
- Tyler Gregory, a structural pest control licensee for Mack Pest Solutions in Raleigh, agreed to pay \$6,000 for advertising as, engaging in, or supervising work as a manager, owner, or owner-operator in any phase of structural pest control without a license, failure to pay the original or renewal license fee when due and continuing to operate as a licensee, failure to provide true information regarding methods and materials or work performed, and failure to adequately control, direct, and supervise the structural pest control activities of their office.
- Samuel A. Harlan Sr, a structural pest control licensee for Team Pest USA in Raleigh, agreed to pay \$2,000 for failure to adequately control, direct, and supervise the structural pest control activities of their office and failure to secure identification cards for all existing employees who engage in structural pest control work.
- Devin Millen, who worked for Team Pest USA in Raleigh, agreed to pay \$800 for failure to produce an identification card after 75 days of employment and using a pesticide in a manner inconsistent with its label.
- John Clifford, a structural pest control licensee for Home Team Pest Defense in Pineville, agreed to pay \$5,000 for pesticide use in a manner inconsistent with its label and failure to adequately control, direct, and supervise the structural pest control activities of their office.
- Kyle Calder, a structural pest control licensee for Aptive Environmental in Cary, agreed to pay \$1,200 for failure to adequately control, direct, and supervise the structural pest control activities of their office and misrepresentation for the purpose for defrauding.

# Upcoming RT Schools and Exams

## RT School Registration - All classes run from 8:30am to 4:30pm

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|---|--|---|
| <b>Wed Dec 6, 2023 – RT School</b><br>New Hanover Co Cooperative Extension        | <b>Wed Dec 13, 2023 – RT School</b><br>Iredell Co Cooperative Extension            | <b>Tues Dec 19, 2023 – RT School</b><br>NCDA&CS STASC Complex |
| <b>Tues Jan 9, 2024 – RT School</b><br>Pitt Co Cooperative Extension Center       | <b>Tues Jan 16, 2024 – RT School</b><br>Guilford Co Cooperative Extension Center   | <b>Wed Jan 31, 2024 – RT School</b><br>NCDA&CS STASC Complex  |
| <b>Wed Feb 7, 2024 – RT School</b><br>New Hanover Co Cooperative Extension Center | <b>Tues Feb 13, 2024 – RT School</b><br>Iredell Co Cooperative Extension Center    | <b>Wed Feb 28, 2024 – RT School</b><br>NCDA&CS STASC Complex  |
| <b>Tues Mar 12, 2024 – RT School</b><br>Henderson Co. Mtn Research and Ext Center | <b>Thur Mar 21, 2024 – RT School</b><br>Cumberland Co Cooperative Extension Center | <b>Wed Mar 27, 2024 – RT School</b><br>NCDA&CS STASC Complex  |

## In-Person License & Certification Exam Registration

*Dual License & Certification Exam events start at 9:30am; Certification Exam only events start at 10:00am*

|   |   |  |
|---|---|--|
| <b>Tues Dec 5, 2023 – License &amp; Cert Exams</b><br>NCDA&CS STASC Complex | <b>Tues Dec 12, 2023 – Cert Exam only</b><br>Cumberland Co Cooperative Extension Center | <b>Tues Dec 12, 2023 – Cert Exam only</b><br>Union Co Cooperative Extension Center     |
| <b>Thur Jan 4, 2024 – License &amp; Cert Exams</b><br>NCDA&CS STASC Complex | <b>Thur Jan 11, 2024 – Cert Exam only</b><br>Gaston Co Cooperative Extension Center     | <b>Thur Jan 25, 2024 – Cert Exam</b><br>PCT School                                     |
| <b>Thur Feb 1, 2024 – License &amp; Cert Exams</b><br>NCDA&CS STASC Complex | <b>Mon Feb 5, 2024 – Cert Exam only</b><br>Cabarrus Co Cooperative Extension Center     | <b>Wed Feb 20, 2024 – Cert Exam only</b><br>Cumberland Co Cooperative Extension Center |
| <b>Tues Mar 5, 2024 – License &amp; Cert Exams</b><br>NCDA&CS STASC Complex | <b>Wed Mar 6, 2024 – Cert Exam only</b><br>New Hanover Co Cooperative Extension Center  | <b>Mon Mar 18, 2024 – Cert Exam only</b><br>Guliford Co Cooperative Extension Center   |

## Locations

Cabarrus County Cooperative Extension Center  
715 Cabarrus Ave  
Concord, NC, 28027

Cumberland County Cooperative Extension Center  
301 E Mountain Dr  
Fayetteville, NC 28306

Gaston County Cooperative Extension Center  
1303 Dallas-Cherryville Hwy  
Dallas, NC 28034

Guilford County Cooperative Extension Center  
3309 Burlington Rd  
Greensboro, NC 27405

Henderson County  
Mtn Horticultural Crop Research and Ext Center  
455 Research Drive  
Mills River, NC 28759

Iredell County Cooperative Extension Center  
444 Bristol Dr, Suite 110  
Statesville, NC 28677

New Hanover County Cooperative Extension Center  
6206 Oleander Dr  
Wilmington, NC 28403

NCDA&CS STASC Complex  
4400 Reedy Creek Rd  
Raleigh, NC 27607

Pitt County Cooperative Extension Center  
403 Government Circle, Suite 2  
Greenville, NC 27834

Union County Cooperative Extension Center  
3230-D Presson Rd  
Monroe, NC 28112

