



THE SUNRISE CITY
FORT PIERCE
BUILDING DEPARTMENT
Florida

August 16, 2017

Sent via: CERTIFIED LETTER & 1st CLASS MAIL

Mr. Sherried Oscar Watson
Promag Energy Group A/C & Heating, Inc.
24927 E. Colonial Dr.
Christmas, FL 32709

**Re: Notice of Hearing
Contractor Complaint – 3927 Sabal Way**

Dear Mr. Watson:

This pertains to the complaint submitted to the City of Fort Pierce against you, as a contractor, in the above-referenced case and provides you with notice of the hearing that has been scheduled on such complaint.

After reviewing such complaint and your response, the Director of Building & Code Enforcement and the Chairman of the Board of Examiners of Contractors have found **probable cause** and have referred such complaint to the Board for hearing which is scheduled for **9:00 a.m. September 12, 2017 in the City Commission Chambers on the 1st floor of City Hall.**

Pursuant to the Rules of Procedure for Disciplinary Matters for the Board, enclosed is the Notice of Alleged Charges form listing the specific charges against you, together with copies of documents related thereto which are being sent to the Board.

The Respondent may be represented by counsel at the hearing, may present relevant evidence, and will be given an opportunity to cross examine witnesses. A copy of the Rules of Procedure for Disciplinary Matters for the Fort Pierce Board of Examiners of Contractors may be obtained upon request from the Department of Building & Code Enforcement.

If you have any further questions, please call my assistant at (772) 467-3188.

Sincerely,

Paul Thomas, CBO, CFM
Building Official

PT/km

Enclosure
c (via email):

Board Chairman - Don Bergman
Linda Cox, City Clerk/Asst. City Manager
Board Attorney – Caroline Valentin
Contractor's License File
Complainant

**CITY OF FORT PIERCE
BOARD OF EXAMINERS OF CONTRACTORS
NOTICE OF ALLEGED CHARGES**

Contractor/Qualifier: Sherried Oscar Watson
City License No.: 1700024815
Property Owner: Raechel Ferry
Complainant: Raechel Ferry

d/b/a: ProMag Energy Group A/C & Heating, Inc.
State License No.: CMCA48033
Address of Violation: 3927 Sabal Way

You are hereby notified that the Fort Pierce Board of Examiners of Contractors has scheduled the above referenced matter for hearing on the 12th day of September, 2017 at 9:00 a.m., in the Commission Chambers, City Hall, 100 North US #1, Fort Pierce, FL 34950

The Checked boxes specify the charges being brought against the above named contractor under the Fort Pierce Code of Ordinance, Section 5-52:

- (1) Obtaining a certificate by fraud or misrepresentation.
- (2) Committing fraud or deceit in the practice of contracting.
- (3) Committing incompetency or misconduct in the practice of contracting.
- (4) Committing gross negligence, repeated negligence, or negligence resulting in a significant danger to life or property.
- (5) Abandoning a construction project in which the contractor is engaged or under contract as a contractor. (A project may be presumed abandoned after ninety days if the contractor terminates the project without just cause or without proper notification to the owner, including the days.)
- (6) Committing mismanagement or misconduct in the practice of contracting that causes financial harm to a customer. Financial mismanagement or misconduct occurs when:
 - (a) Valid liens have been recorded against the property of a contractor's customer for supplies or services ordered by the contractor for the customer's job; the contractor has received funds from the customer to pay for the supplies or services; and the contractor has not had the liens removed from the property, by payment or by bond, within seventy-five (75) days after the date of such liens;
 - (b) The contractor has abandoned a customer's job and the percentage of completion is less than the percentage of the total contract price paid to the contractor as of the time of abandonment, unless the contractor is entitled to retain such funds under the terms of the contract or refunds the excess funds within thirty (30) days after the date the job is abandoned.
 - (c) The contractor's job has been completed, and it is shown that the customer has had to pay more for the contracted job than the original contract price, as adjusted for subsequent change orders, unless such increase in cost was the result of circumstances caused by the customer, or was otherwise permitted by the terms of the contract between the contractor and the customer.
- (7) Substantial departure from, or disregard, of plans or specifications without consent the owner or his duly authorized representative;
- (8) Knowingly or deliberately disregarding or violating any applicable building codes or laws of the state, county or city;
- (9) Willfully and deliberately engaging in a type or class of contracting for which the contractor is not licensed or registered;
- (10) Being disciplined by any other municipality or county;
- (11) Failing to actively supervise construction projects for which the contractor has applied for and obtained a building permit; or for projects for which the contractor is, by contract; responsible;
- (12) Contracting with persons or firms not having a certificate or competency issued by the city for work or services to be performed within the city when said persons or firms are required by this chapter to possess such a certificate of competency in order to perform the contracted work or services;
- (13) Proceeding on any job without obtaining the applicable building department permits and inspections.
- (14) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of contracting or the ability to practice contracting.
- (15) Knowingly combining or conspiring with an uncertified or unregistered person by allowing his certificate or registration to be used by the uncertified or unregistered person with intent to evade the provision of this code. When a certificate holder or registrant allows his certificate or registration to be used by one (1) or more business organizations without having any active participation in the operations, management, or control of such business organizations, such act constitutes prima facie evidence of an intent to evade the provisions of this Code.

Any decision of the Board may be appealed. A verbatim transcript of the hearing is necessary for an appeal. Anyone desiring a verbatim transcript shall have the responsibility at his own cost to arrange for same. Please govern yourself accordingly.

St. Lucie County
State of Florida

The forgoing instrument was acknowledged before me this 10th day of August 2017 by Paul Thomas

Personally known/Type of Identification



Karen Murphy
Signature of Notary Public

Paul Thomas 8/10/17
Building Official Date



CONTRACTOR COMPLAINT INVESTIGATION

Complaint: Raechel Ferry (Complainant) v. Sherried Watson, ProMag Energy Group A/C & Heating

Date: 8/2/2017

Property Address: 3927 Sabal Way

Background:

July 30, 2016: Contract entered into and a/c unit was installed.

August 3, 2016: A/C permit application was submitted to the City.

August 18, 2016: The City received a request from the contractor to cancel the permit.

November 16, 2016: The contractor returned to the site to seal the attic access and supply leak.

January 12, 2017: The contractor returned to the site to provide disconnect, whip and mastic.

January 22, 2017: The contractor returned to remove the handler, seal all duct work, replace copper tubing, vinyl tubing, high voltage wiring, low voltage wiring, drain and mastic seal all ducts.

March 8, 2017: The A/C permit application was submitted to the City, it was not indicated that the unit had already been installed.

March 9, 2017: Permit 17-675 was issued.

April 3, 2017: Final inspection was conducted and disapproved due to the a/c handler wire size being too small, no float switch installed on the auxiliary drain line, and no electrical outlet for the drain pump being installed.

June 28, 2017: Final inspection was disapproved due to the attic access being blocked, romex wiring not being in conduit, wiring method for condensation pump not an approved method.

July 10, 2017: Contractor returned to replace the heater kit and making filter door accessible.

July 11, 2017: Contractor returned to install a separate outlet to condensation pump, replaced condenser breaker, replaced condensation pump, mastic sealed splitter box, and foamed ceiling where the electrical sleeve enters the ceiling.



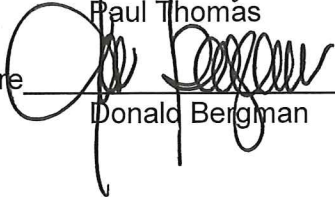
July 12, 2017: Final inspection was disapproved due to the wrong air handler breaker size being installed and the air handler green field fitting not being listed for the use.

July 19, 2017: Final inspection was approved and the permit was closed out.

Findings:

1. The unit was initially installed without a permit.
2. The inspections failed several times for moderate to major violations of the code.
3. The following sections have allegedly been violated: 5-52(3)(4)(8)(13).

Investigator's recommendation for a hearing:

Building Investigator:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Signature 
			Shaun Coss
Building Official:	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Signature 
			Paul Thomas
Board Chairman:	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Signature 
			Donald Bergman



THE SUNRISE CITY
FORT PIERCE
BUILDING DEPARTMENT
Florida

file copy



July 14, 2017

Sent via: CERTIFIED LETTER & 1st CLASS MAIL

Mr. Sherried Oscar Watson
Promag Energy Group A/C & Heating, Inc.
24927 E. Colonial Drive
Christmas, FL 32709

Re: ½ 4205 Metzger Road

Dear Mr. Watson:

This letter is to inform you that a complaint has been filed with the City of Fort Pierce against you, as the holder of a Contractor's Certificate of Competency, and/or as a contractor certified by the State of Florida. Attached is a copy of the complaint affidavit that has been filed with the Building Department.

You may submit to the Director of Building and Code Enforcement a written response to this complaint within 15 days of the date of this letter. Per Section 5-51 of the City of Fort Pierce Code of Ordinances, the Director of Building & Code Enforcement and the Chairman of the Board of Examiners of Contractors shall review the complaint for probable cause.

If no probable cause is found, the complaint shall be denied and will not be referred to the Board of Examiners of Contractors. A copy of the complaint and the findings will be placed in your contractor's license file. The complainant shall have no right of appeal.

Where probable cause is found, the complaint shall be referred to the Board for a hearing. You will be sent a Notice of Alleged Charges and notified of the date, time, and place of the hearing.

If you have any further questions, please call my assistant at (772) 467-3188.

Sincerely,

Paul Thomas, CBO, CFM
Building Official

PT/km
Attachment

cc: Don Bergman, Board Chairman
Caroline Valentin, Board Attorney
Linda Cox, City Clerk/Asst. City Manager
Contractor's License File
Raechel Ferry, Complainant



RECEIVED

JUL 12 2017

Building Department

BUILDING DEPARTMENT
 P.O. BOX 1480, 100 N. U.S. 1
 FORT PIERCE, FLORIDA 34954
 772-467-3188; FAX: 772-467-3849

CONTRACTOR COMPLAINT AFFIDAVIT

PERSON OR COMPANY COMPLAINT IS AGAINST: ProMag Energy Group
 ADDRESS OF THE COMPLAINT: 1/2, 4205 Metzger Rd, Fort Pierce, FL 34947

MADE BY: (Mr. /Mrs. /Ms.) Raechel Ferry
 Address: 3927 Sabal Way
 City: Fort Pierce
 Home Phone: 772-318-8721 Work/Cell Phone: 772-521-1533
 Email Address: rferry21@outlook.com

BEFORE ME, the above signed authority, this day personally appeared to file a complaint against:
 Name of Person and/or Company: ProMag Energy Group
 Phone Number: _____
 Address: 1/2, 4205 Metzger Rd
 City: Fort Pierce State: FL Zip: 34947

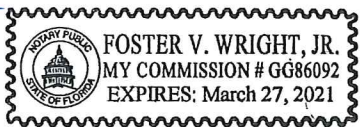
IN DETAIL, clearly state your complaint below: (Please include any contracts, bills, cancelled checks, correspondences, etc.)
Our air conditioning unit was installed in August of 2016. The night it was installed, we were instantly having issues with the unit. We have had to have the company out to our home on nearly 20 different occasions at this point, and they have still not passed inspection. We are in contract to sell our home, and this is tying up our process. They offer no solution, other than to come out and continue to do unacceptable quality work on the unit. When we call, we are told someone will call back within an hour and we dont hear from them for days or weeks, unless we call them.

I have paid \$ 8,000.00 to: ProMag Energy Group
 By check _____ Money Order _____ other Financing _____
 Type of action being requested of the Board. (Note: If seeking a refund, this would be a civil matter.)
I want there to be documentation of the company's bad workmanship and customer service.

Raechel Ferry
 Signature

SWORN TO AND SUBSCRIBED BEFORE ME this 29 day of JUNE, 2017

Notary Signature [Signature]





RECEIVED

JUL 12 2017

Building Department

BUILDING DEPARTMENT
P.O. BOX 1480, 100 N. U.S. 1
FORT PIERCE, FLORIDA 34954
772-467-3188; FAX: 772-467-3849

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ADDRESS OF THE COMPLAINT: 1/2, 4205 Metzger Rd, Fort Pierce, FL 34947

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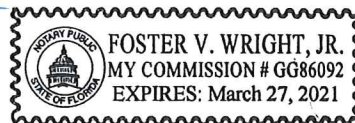
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I want there to be documentation of the company's bad workmanship and customer service.

Raechel Ferry
Signature

SWORN TO AND SUBSCRIBED BEFORE ME this 29 day of JUNE, 2017

Notary Signature [Signature]



12:25:27 PM 7/12/2017

Licensee Details

Licensee Information

Name: **WATSON, SHERRIED OSCAR (Primary Name)**
PROMAG ENERGY GROUP A/C & HEATING, INC (DBA Name)

Main Address: **24927 E. COLONIAL DR.**
CHRISTMAS Florida 32709

County: **ORANGE**

License Mailing:

LicenseLocation:

License Information

License Type: **Certified Mechanical Contractor**

Rank: **Cert Mechanical**

License Number: **CMCA48033**

Status: **Current with Probation,Active**

Licensure Date: **07/22/1994**

Expires: **08/31/2018**

Special Qualifications **Qualification Effective**
Construction Business **02/20/2004**

Alternate Names

[View Related License Information](#)

[View License Complaint](#)

2601 Blair Stone Road, Tallahassee FL 32399 :: Email: **[Customer Contact Center](#)** :: Customer Contact Center: 850.487.1395

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Under Florida law, email addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact the office by phone or by traditional mail. If you have any questions, please contact 850.487.1395. *Pursuant to Section 455.275(1), Florida Statutes, effective October 1, 2012, licensees licensed under Chapter 455, F.S. must provide the Department with an email address if they have one. The emails provided may be used for official communication with the licensee. However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public. Please see our **[Chapter 455](#)** page to determine if you are affected by this change.

Licensee

Name: **WATSON, SHERRIED OSCAR** License Number: **1148033**
 Rank: **Certified Mechanical Contractor** License Expiration Date: **08/31/2018**
 Primary Status: **Current with Probation** Original License Date: **07/22/1994**
 Secondary Status: **Active**

Related License Information

License Number	Status	Related Party	Relationship Type	Relation Effective Date	Rank	Expiration Date
	Current	PROMAG ENERGY GROUP A/C & HEATING, INC	Primary Qualifying Agent for Business	04/01/2011	Construction Business Information	

[Printer Friendly](#)

[Return to License Details](#)

Related License Search

License Type

First Name Last Name

License Number

Expiration Date

From To

2601 Blair Stone Road, Tallahassee FL 32399 :: Email: **Customer Contact Center** :: Customer Contact Center: 850.487.1395

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Complaint Details

Below is a listing of public complaints regarding the person or entity selected. This may not reflect all public complaints filed with the Department; for example, all against Community Association Managers (CAMs) are available to the public, regardless of whether any appear below, and may be requested directly from the Department. The Department is also precluded from disclosing any complaints which are confidential pursuant to Florida Statutes.

If you would like a full list of public complaints against an individual or entity or to make a public records request for complaints listed please visit our [Public Records](#)

You can search for public records pertaining to unlicensed activity complaints through an additional database by visiting our [Search Unlicensed Activity Complaints](#). For more information about CAM complaints, please visit the [CAMs page](#).

Name: WATSON, SHERRIED OSCAR

The Status and Discipline Description below is only the status of a complaint. To see the status of this license select the "Back" button to return to the Licensee D

Number	Class	Incident Date	Status	Disposition	Disposition Date	Discipline Date - Description
2016027783	Licensed Activity	05/13/2016	Closed	Final Order	05/31/2017	05/31/2017 - Cost 05/31/2017 - Education 05/31/2017 - Fine 05/31/2017 - Probation
2003079421	Licensed Activity	03/08/2002	Closed	Final Order	07/22/2005	07/22/2005 - Cost 07/22/2005 - Fine

[2601 Blair Stone Road, Tallahassee FL 32399](#) :: Email: [Customer Contact Center](#) :: Customer Contact Center: 850.487.1395

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Aug 2, 2017 3:38:22 PM EDT

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Inspection Inquiry - Results Comments

TAX ID #: 2429-802-0048-000/3

Property address: 3927 SABAL WAY

Application, structure number: 17 00000675 000 000

Permit type, sequence number: MCOR 00 MECH CHANGE OUT RESID

Inspection type, sequence number: MC99 0003 MECH, FINAL

Inspection status, date: INSPECTION COMPLETED 7/12/17

Inspection Results Comments

July 12, 2017 11:07:52 AM jgranadill.

DP, 1- Wrong Air handler breaker size for 8 KW heater shall be 50 amps. NEC-310.16

2- Air handler green field fitting not listed for that purpose Nec-110.3 B

OK

Exit

Cancel

Aug 2, 2017 3:38:34 PM EDT

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Inspection Inquiry - Results Comments

TAX ID #: 2429-802-0048-000/3
Property address: 3927 SABAL WAY
Application, structure number: 17 00000675 000 000
Permit type, sequence number: MCOR 00 MECH CHANGE OUT RESID
Inspection type, sequence number: MC99 0001 MECH, FINAL
Inspection status, date: INSPECTION COMPLETED 4/03/17

Inspection Results Comments

April 3, 2017 1:46:42 PM jgranadill.

DP, The installation does not comply with the following

- 1-AIR HANDLER WIRE SIZE TOO SMALL FOR 60 AMPS, ROMEX # 6 IS ONLY UP TO 55 AMPS NEC-310.15
- 2-NOT FLOOD SWICHT INSTALLED ON AUXILIARY DRAIN LINE
- MB-307.2.3.1
- 3-PROVIDE ELECTRICAL OUTLET FOR DRAIN PUMP NEC-110.3 (SHALL BE LISTED & LABELED FOR THAT USE).

✓ OK
✗ Exit
← Cancel

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Total pages: 1

Aug 2, 2017 3:37:41 PM EDT

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Inspection Inquiry - Results Comments

TAX ID #: 2429-802-0048-000/3

Property address: 3927 SABAL WAY

Application, structure number: 17 00000875 000 000

Permit type, sequence number: MCOR 00 MECH CHANGE OUT RESID

Inspection type, sequence number: MC99 0002 MECH, FINAL

Inspection status, date: INSPECTION COMPLETED 6/28/17

Inspection Results Comments

June 28, 2017 7:15:51 AM kevin.

1.The contractor has blocked attic access with air handler installation.

FBC R807.1 Attic access.

Buildings with combustible ceiling or roof construction shall have an attic access opening to attic areas that exceed 30 square feet (2.8 m²) and have a vertical height of 30 inches (762 mm) or greater. The vertical height shall be measured from the top of the ceiling framing members to the

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Navigation

Inspection Inquiry - Results Comments

TAX ID #: 2429-802-0048-000/3

Property address: 3927 SABAL WAY

Application, structure number: 17 00000675 000 000

Permit type, sequence number: MCOR 00 MECH CHANGE OUT RESID

Inspection type, sequence number: MC99 0002 MECH, FINAL

Inspection status, date: INSPECTION COMPLETED 8/28/17

Inspection Results Comments
underside of the roof framing members.
2. Romex wire shall be covered and in a concealed space.
Electrical supply to air handler shall be in a conduit.
NEC 334.10
3. Wiring method for condensation pump not approved.
FBC
E4101.2 Installation.
Appliances and equipment shall be installed in accordance with the manufacturer's installation instructions.

Aug 2, 2017 3:41:15 PM EDT

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SUNGARD PUBLIC SECTOR
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Inspection Inquiry - Results Comments

TAX ID #: 2429-802-0048-000/3

Property address: 3927 SABAL WAY

Application, structure number: 17 00000675 000 000

Permit type, sequence number: MCOR 00 MECH CHANGE OUT RESID


Inspection type, sequence number: MC99 0002 MECH, FINAL

Inspection status, date: INSPECTION COMPLETED 6/28/17

Inspection Results Comments
Electrically heated appliances and equipment shall be installed with the required clearances to combustible materials.
E4101.3 Flexible cords.
Cord-and-plug-connected appliances shall use cords suitable for the environment and physical conditions likely to be encountered. Flexible cords shall be used only where the appliance is listed to be connected with a flexible cord.
The cord shall be identified as suitable for the purpose in

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OK
 Exit
 Cancel

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Inspection Inquiry - Results Comments

TAX ID #: 2429-802-0048-000/3

Property address: 3927 SABAL WAY

Application, structure number: 17 00000675 000 000

Permit type, sequence number: MCOR 00 MECH CHANGE OUT RESID

Inspection type, sequence number: MC99 0002 MECH, FINAL

Inspection status, date: INSPECTION COMPLETED 6/28/17

Inspection Results Comments
the installation instructions of the appliance manufacturer.
Receptacles for cord-and-plug-connected appliances shall be accessible and shall be located to avoid physical damage to the flexible cord. Except for a listed appliance marked to indicate that it is protected by a system of double-insulation, the flexible cord supplying an appliance shall terminate in a grounding-type attachment plug. A receptacle for a cord-and-plug-connected range hood shall be supplied by an individual branch circuit. Specific

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Aug 2, 2017 3:41:26 PM EDT

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Inspection Inquiry - Results Comments

TAX ID #: 2429-802-0048-000/3

Property address: 3927 SABAL WAY

Application, structure number: 17 00000675 000 000


Permit type, sequence number: MCOR 00 MECH CHANGE OUT RESID

Inspection type, sequence number: MC99 0002 MECH, FINAL

Inspection status, date: INSPECTION COMPLETED 6/28/17

Inspection Results Comments
appliances have additional requirements as specified in Table E4101.3 (see Section E3909).

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