



Texas Department of Insurance

State Fire Marshal's Office, Mail Code 112-FM
333 Guadalupe • P. O. Box 149221, Austin, Texas 78714-9221
512-305-7900 • 512-305-7910 fax • www.tdi.state.tx.us

TEXAS STATE FIRE MARSHAL OFFICIAL ORDERS ISSUED FEBRUARY 2006 THROUGH AUGUST 2006

Fireguard Fire Protection Services, Inc., of Houston, acting by or through its employees agents or officers, allegedly violated the fire alarm rules by failing to service a fire alarm system using individuals with a valid license at several schools or under the direct on-site supervision of a licensee according to case LC05-059. The State Fire Marshal, under order number FM-1179, dated 2-21-06, permitted the firm to retain its fire alarm Certificate of Registration, ACR-2364, subject to paying an administrative penalty of \$2,000

Gabriel J. Suess individually and d/b/a Fire Extinguisher Safety Appliances Company, of San Antonio, allegedly serviced portable fire extinguishers, in violation of the fire extinguisher rules and adopted standards by improperly servicing fire extinguishers, using unlicensed individuals in the prosecution of the work, and attaching tags and billing for fire extinguisher services not performed, according to case LC05-162. After notice of hearing, the State Fire Marshal, under order number FM-1180, dated 2-24-06 revoked fire extinguisher license FEL-6514-A issued to **Gabriel J. Suess** and extinguisher Certificate of Registration ECR-1293 issued to Gabriel J. Suess d/b/a Fire Extinguisher Safety Appliances Company.

Paul Bob individually and Paul Bob d/b/a Bob's Fire Extinguisher Sales and Service, of Channelview, allegedly violated the fire extinguisher statute by servicing portable fire extinguishers, with an expired license, registration and insurance policy, according to case LC05-140. After notice of hearing and in consideration of previous issued orders, the State Fire Marshal, under order number FM-1181, dated 3-22-06, revoked fire extinguisher license FEL-8038-B issued to Paul Bob and extinguisher Certificate of Registration ECR-1572 issued to Paul Bob d/b/a Bob's Fire Extinguisher Sales and Service.

Joseph A. Vaught, of Dickinson. The State Fire Marshal, under order number FM-1182, dated 3-23-06, permitted Mr. Jones to obtain a fire alarm technician license, subject to a two year probation, during which time he may not violate any laws of the State of Texas or be convicted of any criminal violation, excluding traffic offenses or after notice and hearing his license shall be revoked.

Moriel D. Jones, of Houston. The State Fire Marshal, under order number FM-1183, dated 3-23-06, permitted Mr. Jones to obtain a fire alarm technician license, subject to a two year probation, during which time he may not violate any laws of the State of Texas or be convicted of any criminal violation, excluding traffic offenses or after notice and hearing his license shall be revoked.

Mark D. Fischer, of Grand Prairie. The State Fire Marshal, under order number FM-1184, dated 3-23-06, permitted Mr. Fischer to obtain a fire extinguisher technician license, subject to a two year probation, during which time he may not violate any laws of the State of Texas or be convicted of any criminal violation, excluding traffic offenses or after notice and hearing his license shall be revoked.

AA Quality Imports, of Pearland, allegedly failed to comply with the fireworks rules by not providing panic or fire exit hardware on the exit doors, using wiring that did not comply with the National Electric Code, and other violations, at an indoor retail site selling fireworks, located at 17104 Cole Industrial Blvd. outside Alvin in Brazoria County, according to case LC05-190. The State Fire Marshal, under order number FM-1185, dated 4-3-06, ordered the correction of all violations and permitted AA to retain a permit to sell fireworks from that location, subject to providing a sworn statement attesting to the fact that all necessary repairs and corrections, noted in the last inspection report, were completed and a payment of an administrative penalty of \$1,000.

Sam Broadway d/b/a Broadway's Best LLC, of Houston, acting individually and as a firm, allegedly failed to comply with the fireworks rules by not providing panic or fire exit hardware on the exit doors and other violations, at an indoor retail site selling fireworks, at 420 South Hwy 19, outside Crockett in Houston County, according to case LC05-187. In consideration of past orders, the State Fire Marshal, under order number FM-1186, dated 4-12-06, ordered the correction of all violations and permitted Broadway to retain a permit to sell fireworks from that location, subject to providing a sworn statement attesting to the fact that all necessary repairs and corrections, noted in the last inspection report, were completed and a payment of an administrative penalty of \$1,500.

Bay Fire & Safety Equipment Co., Inc., of Corpus Christi, acting by or through its employees or agents, failed to comply with State Fire Marshal Order 1033 by failing to complete the corrective action to bring certain fixed fire extinguisher systems into compliance and by falsely representing to the State Fire Marshal that all corrective actions and remedial measures ordered had been completed. In consideration of previous issued orders, the State Fire Marshal, under order number FM-1187, dated 4-18-06, revoked extinguisher Certificate of Registration ECR-1125 issued to Bay Fire & Safety Equipment Co., Inc.

Mike L. Wilczynski, of Corpus Christi failed to comply with State Fire Marshal Order 1033 by failing to complete the corrective action to bring certain fixed fire extinguisher systems into compliance and by falsely representing to the State Fire Marshal that all corrective actions and remedial measures ordered had been completed and in other cases, failing to leave temporary fire extinguishers at an occupied motel after removing fire extinguishers for service for three weeks, according to case LC05-271 and using unlicensed employees in the conduct of business, according to case LC05-062. The State Fire Marshal, under order number FM-1188, dated 4-18-06, revoked fire extinguisher license FEL-7193-A issued to Mike L. Wilczynski.

CES Systems, Inc., of North Richland Hills, acting by or through its employees or agents, allegedly violated the fire alarm rules by falsifying the signature of a retired licensee on the design plans for a fire alarm system, submitted to a city, misrepresenting they were designed by a licensed individual when the firm did not employ an alarm planning superintendent according to case LC05-266. The State Fire Marshal, under order number FM-1189, dated 6-5-06, permitted the firm to retain its fire alarm Certificate of Registration, ACR-2014, subject to paying an administrative penalty of \$12,000.

Steven Myers individually and Steven Myers d/b/a Myers Fire Protection, of Huntsville, allegedly serviced a fixed fire extinguisher system, in violation of the fire extinguisher rules and adopted standards by removing the agent cylinder for six days from a kitchen hood fire system and failed to; provide a temporary cylinder replacement; attach a red tag; and notify the local authority having jurisdiction, according to case LC05-177. After notice and hearing and in consideration of previous issued orders, the State Fire Marshal, under order number FM-1190, dated 6-5-06 revoked fire extinguisher license FEL-6690 issued to Steven Myers and extinguisher Certificate of Registration ECR-1638 issued to Steven Myers d/b/a Myers Fire Protection.

Alarmtechs, Inc., of Houston, acting by or through its employees or agents, allegedly installed fire alarm systems, in violation of the fire alarm rules by failing to: use the correct type of wire in wet locations; install a fire alarm panel in an environment to which it was listed; protect against induced transients or lightning protection on circuits extending beyond one building, according to case LC05-142. After correcting one site at a cost of approximately \$15,000 and making arrangement to fix, at no cost to the property owner, and report any and all other similar sites they installed, the State Fire Marshal, under order number FM-1191, dated 6-22-06, permitted the firm to retain its fire alarm Certificate of Registration, ACR-1174, subject to paying an administrative penalty of \$5,000.

A-1 Security and Fire Equipment Company, Inc d/b/a/ A-1 Fire and Safety Equipment Company, of Waco, acting by and through its employees, allegedly violated the fire extinguisher rules by failing to install a kitchen hood fire protection system according to the manufacturer's requirements and adopted standards in that they failed to: use listed seal fittings; provide a means for make-up air shut down; flush a system, clean nozzles and strainers after a discharge; install service collars on a portable extinguisher and notify the local authority after attaching a red tag, according to case LC04-102; LC04-200, LC05-289 & LC06-045. After arrangements to correct the conditions, at no cost to the property owner, the State Fire Marshal, under order

number FM-1192, dated 7-6-06, permitted A-1 to retain its registration, ECR-1179 subject to payment of an administrative penalty of \$2,000.

Central Fire Protection, Inc., of Dallas, acting by and through their officers, allegedly violated the fire sprinkler statute by failing to obtain a sprinkler registration before engaging as a fire protection sprinkler system contractor. The State Fire Marshal, under order number FM-1193, dated 7-17-06, permitted Central to retain its registration, SCR-0821 subject to payment of an administrative penalty of \$1,000.

Countywide Fire & Safety, Inc. of Conroe, acting by and through its employees, allegedly violated the fire extinguisher rules by failing to install a kitchen hood fire protection system according to the manufacturer's requirements and adopted standards in that they failed to: tighten the pipe; center the fusible link in the duct; provide the correct quantity of fusible links; install the correct type of fusible links; ream the pipe; mark the date on the actuation cartridge; close an opening in the pipe, use correct pipe diameters, secure the discharge nozzles; install discharge caps; use listed nozzles; affix an installation label and complete the state certification form, according to case LC06-046. After correcting the system at no cost to the property owner, the State Fire Marshal, under order number FM-1194, dated 7-19-06, permitted Countrywide to retain its registration, ECR-1577 subject to payment of an administrative penalty of \$5,000, immediately report any future complaints filed against them, and report the location of any and all new installations of portable or fixed fire extinguisher systems to the State Fire Marshal's Office for one year.

Stacy Matthieu d/b/a Texas Discount Fire Equipment, of Willis, acting individually and as a firm, allegedly violated the fire extinguisher rules by installing fixed fire extinguishing systems while its Certificate of Registration and general liability insurance coverage had expired, according to case LC06-058. After failing to reply to the notice for hearing an informal disposition by default was rendered culminating in State Fire Marshal, order number FM-1195, dated 7-31-06, ordering payment of an administrative penalty of \$3,500 within 45 days.

Mr. B Fireworks, Inc., of Schulenburg, allegedly failed to maintain records of issued retail fireworks sales permits in a manner required by the commissioner, by failing to provide accurate address information of the permittee on over 55 permits, and issued a fireworks permit to an individual less than 18 years old, according to case LC06-076. The State Fire Marshal, under order number FM-1196, dated 7-31-06, permitted the firm to retain its Distributor's license, FWD-0088, subject to payment of an administrative penalty of \$1,000.

Ronald Stephens d/b/a Texas Fire & Safety, of Waco, acting individually and as a firm, allegedly violated the fire extinguisher rules by failing to install a kitchen hood fire protection system according to the manufacturer's requirements by using the incorrect type, quantity, and manufacturer of discharge nozzle and failing to attach an installation label according to case LC05-220. After correcting the system at a cost of \$620 the State Fire Marshal, under order number FM-1198, dated 8-1-06, permitted Stephens to retain his registration, ECR-1556 subject to payment of an administrative penalty of \$750.