



Texas Department of Insurance

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TEXAS STATE FIRE MARSHAL OFFICIAL ORDERS ISSUED FISCAL YEAR 2007 - SEPTEMBER 2006 THROUGH AUGUST 2007

American Fire Extinguishers, Inc. of Balch Springs allegedly used unlicensed employees and failed to service a fixed fire system according to adopted standards according to case LC05-037, LC05-075 and LC05-076. After correcting the violations at no cost to the property owner, the State Fire Marshal, under order number FM-1199, dated 8-23-06, permitted the firm to retain its extinguisher Certificate of Registration, ECR-1332, subject to paying an administrative penalty of \$1,000.

Nikki Irvin, d/b/a Integrity Fire Protection, of Mission, acting by and through its employee, Billy Joe Irvin, 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: correctly locate nozzles in the plenum, provide the correct nozzle to protect cooking appliances, provide the correct size actuation cylinder, provide the correct quantity of detectors, mount a nozzle the correct height above a fryer, and attach an installation label according to case LC05-001, LC05-209, and LC06-052. After correcting the system at no cost to the property owner, the State Fire Marshal, under order number FM-1200, dated 8-25-06, and FM-1204 dated 10-5-06, permitted Integrity Fire Protection to retain its registration, ECR-1642, subject to payment of an administrative penalty of \$1,000 and permitted Billy Joe Irvin to retain his license, FEL-8052-A, subject to payment of \$1,000 administrative penalty.

Bob Haman, of Humble, allegedly failed to maintain a 100 foot distance from where fireworks are sold to where fireworks were ignited and failed to notify the State Fire Marshal's Office within 10 days of an unauthorized incident, according to case LC05-254. After a hearing at the State Office of Administrative Hearings a proposal for decision containing findings of fact and conclusions of law by the Administrative Law Judge resulted in the State Fire Marshal, under order number FM-1201, dated 9-12-06, to assess an administrative penalty of \$2,500 and another \$500 penalty for untimely compliance with the order.

Bobby W. Burnett, d/b/a Burnett Safety Services, of Snyder, acting individually and as a firm, allegedly violated the fire extinguisher laws by engaging in the fire extinguisher business and failing to maintain in force and on file the required general liability insurance coverage according to case LC06-088. The State Fire Marshal, under order number FM-1202, dated 9-26-06, permitted the firm to retain its extinguisher Certificate of Registration, ECR-669, subject to paying an administrative penalty of \$1,825.

Paris Fire Extinguisher, Inc., and Gary Cook, of Paris, acting by and through its employees, allegedly failed to service fire protection equipment according to the adopted standards by not identifying a wrong type nozzle of a kitchen hood fixed system over a cooking appliance and not attaching a collar after performing maintenance on several portable fire extinguishers according to LC04-034. The State Fire Marshal, under order number FM-1203, dated 10-5-06, permitted the firm to retain its extinguisher Certificate of Registration, ECR-756, and Cook to retain his license, FEL-5452, subject to paying an administrative penalty of \$1,000.

Mark Morris, of LaPorte, while employed by and acting for LinMar Services of Texas City, allegedly failed to properly service and install several kitchen hood fire extinguisher systems in that several fire extinguisher agent cylinders were found to be empty and/or contain a substance not appearing to be a listed extinguishing agent at several restaurant locations, according to case LC05-166, LC05-167, and LC05-168. After a hearing at the State Office of Administrative Hearings, the State Fire Marshal, under order number FM-1205, dated 10-20-06, revoked the Fire Extinguisher Technician's license, FEL-9814, held by Mark E. Morris. LinMar Services is no longer registered with the State Fire Marshal's Office.

Traci Drewery, of Nacogdoches, allegedly failed to sell fireworks from a structure in compliance with the adopted standards in the firework rules, in that after previous written warnings, failed to correct the structure which had door latches without panic hardware, improper stair landings and railings and electrical wiring in violation of the electrical code, according to case LC06-076. The State Fire Marshal, under order number FM-1206, dated 10-20-06, permitted Ms. Drewery to retain her firework retail sales permit subject to paying an administrative penalty of \$1,000.

Cory Alan Stevens, employed by and acting for **Buddy's Fire Protection Service, Inc.**, both of Pearland, allegedly violated the fire extinguisher laws by attaching a service tag indicating all work complied with the requirements of law, when in fact he failed to: perform a conductivity test on a Carbon Dioxide Fire Extinguisher, perform hydrostatic tests for portable fire extinguishers, keep records of hydrostatic tests and misrepresented to the Deputy State Fire Marshal that another firm had performed the tests. In addition they failed to replace the fusible detection links and rubber blow-off caps of a kitchen hood fire extinguisher system according to case LC05-128. The State Fire Marshal, under order number FM-1207, dated 10-25-06, and FM-1208 dated 10-25-06, permitted Buddy's Fire Protection Service, Inc., to retain its registration, ECR-381, subject to payment of an administrative penalty of \$1,250 and Cory Alan Stevens, to retain his license, FEL-4124-A, subject to payment of an administrative penalty of \$1,250.

Aaron Huselton, of Waxahachie. The State Fire Marshal, under order number FM-1209, dated 11-8-06, permitted Mr. Huselton 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 further criminal violations, excluding minor traffic offenses or after notice and hearing his license shall be revoked.

Assurance Fire Protection, LLC., of El Paso, allegedly used unlicensed employees to service a fixed fire extinguisher system and through its employees failed to perform the required six year maintenance and hydrostatic test to portable fire extinguishers and by attaching a signed service tag misrepresented the services performed complied with the requirements of law, according to LC06-075. The State Fire Marshal, under order number FM-1210, dated 11-13-06, permitted the firm to retain its extinguisher Certificate of Registration, ECR-1206, subject to paying an administrative penalty of \$2,000.

Gerald Lindsey, Jr., of Port Arthur, allegedly failed to maintain a 10 foot distance from where fireworks are sold to where he was smoking a cigarette according to case LC05-188. The State Fire Marshal, under order number FM-1211, dated 11-20-06, assessed an administrative penalty of \$1,000.

Initial Security Systems, Inc., of Houston, acting by and through its employees, allegedly failed to: use a licensed individual to plan, create, maintain, and deliver plans, provide an installation certificate, and install a fire alarm system according to the adopted technical standards, as described in case LC05-002 to 016 and 019 to 035. The State Fire Marshal, under order number FM-1212, dated 11-20-06, permitted the firm to retain its registration, ACR-1707 subject to payment of an administrative penalty of \$4,000.

Gary Shane Shipman, d/b/a/ Bay Area Fire and Safety, of League City, acting by and through its employees, allegedly failed to install and service a carbon dioxide fixed fire extinguisher system on a paddle boat using individuals not holding the appropriate license according to LC05-222. The State Fire Marshal, under order number FM-1213, dated 1-4-07, permitted the firm to retain its extinguisher Certificate of Registration, ECR-1468, subject to paying an administrative penalty of \$500.

Doug Borie, of Livingston, allegedly failed to sell fireworks from a fireworks retail sales site in compliance with the adopted standards in the firework rules, in that although the exit doors of the structure had panic hardware they also contained dead bolt locks and the facility contained dead end corridors according to case LC06-066. The State Fire Marshal, under order number FM-1214, dated 1-4-07, permitted Mr. Borie to retain his firework retail sales permit subject to paying an administrative penalty of \$500.

10 Needham, Inc., of Conroe, allegedly failed to distribute fireworks as required by the fireworks rules, by failing to return the copies of the fireworks retail permits they issued prior to March 1, of the following year,

according to case LC06-134. The State Fire Marshal, under order number FM-1215, dated 1-5-07, permitted the firm to retain its distributor's license, FWD-0018, subject to paying an administrative penalty of \$1,000.

Sandollar Security Services, LLC, of Rockport, acting by and through its employees, modified a fire alarm system in violation of the adopted standards by allegedly failing to: connect to a dedicated power supply circuit; not marking the disconnect breaker switch; not using insulation, grommets or terminal fittings to prevent damage to wires entering the control panel; not attaching an installation label and not using an appropriately licensed person to plan the system according to case LC05-049. After correcting the violation at no cost to the owner, the State Fire Marshal, under order number FM-1216, dated 1-8-07, permitted the firm to retain its Fire Alarm Certificate of Registration, ACR-1238 subject to payment of an administrative penalty of \$2,500.

Roger D. Wolfe, d/b/a North Texas Fire & Safety, of Celeste, acting individually and as a firm, allegedly failed to perform the required six year maintenance and hydrostatic test to portable fire extinguishers and failed to replace detector links in a kitchen hood fixed fire protection system with a recently dated fusible detector at several locations according to LC06-118 to 123. After correcting the violations at no cost to the property owner, the State Fire Marshal, under order number FM-1219, dated 3-15-07, permitted the firm to retain its extinguisher Certificate of Registration, ECR-863, and Wolfe to retain license FEL-6062 subject to paying an administrative penalty of \$3,000.

ASG Monitoring, LLC d/b/a ASG Security, of Houston, acting by and through its employees, allegedly attached a red label to a fire alarm system at a school and failed to notify the local authority having jurisdiction in writing according to case LC07-002. The State Fire Marshal, under order number FM-1220, dated 3-15-07, permitted the firm to retain its fire alarm Certificate of Registration, ACR-2242, subject to payment of an administrative penalty of \$500.

OTSO, Inc., d/b/a Valley Wide Security, of Brownsville, acting by and through its employees, allegedly monitored a fire alarm system, prior to obtaining a fire alarm certificate of registration through the State Fire Marshal's Office, according to case LC06-059. The State Fire Marshal, under order number FM-1221, dated 3-26-07, after permitting the firm to obtain registration, ACR-2815, assessed an administrative penalty of \$1,500.

W. E. Garrett d/b/a/ Ultimate Security and Service, of Corpus Christi, acting individually and as a firm, allegedly installed a fire alarm system failing to: use an appropriately licensed person to plan the system; provide an installation certificate; report a change of address to the State Fire Marshal's Office and install a smoke alarm in a dwelling too close to an air supply grill, according to case LC05-199. The State Fire Marshal, after notice and opportunity for hearing, under order number FM-1222, dated 3-27-07, revoked the Fire Alarm Certificate of Registration, ACR-2553, issued to Ultimate Security and Service.

TFA Texas Fire Alarm, Inc., of Mesquite, acting by and through its employees, allegedly failed to attach a red tag to a fire sprinkler system that was partially inoperable in a building where the public sleeps, according to case LC05-241. The State Fire Marshal, under order number FM-1223, dated 4-16-07, permitted the firm to retain its registration, SCR-0825, subject to payment of an administrative penalty of \$4,000.

D Square Systems, Inc. of Houston acting by and through its employees, installed a fire alarm system in an apartment complex in violation of the adopted standards by allegedly failing to: locate the alarm control panel in an environment within it listed temperature limits; use the correct listed wire for a wet location; and install lightning suppression devices where required, according to case LC05-288. The State Fire Marshal, under order number FM-1224, dated 4-19-07, permitted the firm to retain its registration, ACR-86267-809 subject to payment of an administrative penalty of \$5,000, identifying and correcting, at no cost to the property owner, all similar situations that they previously installed.

Julio Ceasar Wilson d/b/a C & P Fire and Safety, of McAllen, engaging in the fire extinguisher business, allegedly violated the fire extinguisher laws by failing to maintain in force and on file the required general liability insurance coverage according to case LC06-087. The State Fire Marshal, under order number FM-

1225, dated 4-26-07, permitted the firm to retain its extinguisher Certificate of Registration, ECR-1663, subject to paying an administrative penalty of \$2,125.

Daniel R Alvarez, of Boyd. The State Fire Marshal, under order number FM-1227, dated 5-7-07, permitted Mr. Alvarez 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 further criminal violations, excluding minor traffic offenses and provide a quarterly report to the State Fire Marshal's Office or after notice and hearing his license shall be revoked.

Edward Roy Stokes, of San Antonio. The State Fire Marshal, under order number FM-1228, dated 5-8-07, permitted Mr. Stokes 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 further criminal violations, excluding minor traffic offenses and provide a quarterly report to the State Fire Marshal's Office or after notice and hearing his license shall be revoked.

Kristi S. Jones-Rupe d/b/a/ J & K Alarm Systems, of Euless, engaging in the fire alarm business, allegedly violated the fire alarm laws by failing to maintain in force and on file the required general liability insurance coverage according to case LC04-164. The State Fire Marshal, under order number FM-1232, dated 6-26-07, after notice of hearing, revoked the fire alarm Certificate of Registration, ACR-1658, held by J & K Alarm Systems.

Daniel Finigan, of Hooks, acting individually and as an employee of **LoVolt, Inc.**, engaged in the fire alarm business by replacing a fire alarm control panel in a hospital before obtaining a Certificate of Registration and without evidence of an approved plan by an appropriately licensed individual according to case LC06-128. After correcting the violations at no cost to the property owner, at an estimated cost of \$7,916.06 in labor and materials, the State Fire Marshal, under order number FM-1234, dated 7-13-07, permitted the firm to obtain its registration, ACR-2857, and permitted Finigan to retain his license, RAS-1164, subject to payment of an administrative penalty of \$3,000.

Puente Fire Extinguishers, Inc., of Olmito, engaging in the fire extinguisher business, allegedly violated the fire extinguisher laws by failing to maintain in force and on file the required general liability insurance coverage according to case LC07-082. The State Fire Marshal, under order number FM-1233, dated 7-13-07, permitted the firm to retain its extinguisher Certificate of Registration, ECR-054, subject to paying an administrative penalty of \$1,500.

Frank Adkins III, of Pearland. The State Fire Marshal, under order number FM-1235, dated 7-13-07, permitted Mr. Adkins to obtain a fire extinguisher technician license, subject to a four year probation, during which time he may not violate any laws of the State of Texas or be convicted of any further criminal violations, excluding minor traffic offenses and provide a quarterly report to the State Fire Marshal's Office or after notice and hearing his license shall be revoked.

Richard C. Ford, of Cypress, allegedly failed to sell fireworks from a structure in compliance with the adopted standards in the firework rules, in that after previous written warnings, failed to correct the structure, which had door latches with panic hardware, but were pinned closed rendering the panic hardware inoperable, according to case LC07-088. The State Fire Marshal, under order number FM-1236, dated 7-16-07, permitted Mr. Ford to retain his firework retail sales permit subject to paying an administrative penalty of \$750.

Fire Safety Protection Services, LP, of Houston, acting by and through its employee, **John Henley**, of Houston, allegedly failed to service a kitchen hood fixed fire extinguisher system according with the adopted standards, by not testing the gas shut-off valve, which was found inoperable, and misrepresented that the services billed and provided met the requirements of law by signing and attaching a service tag according to LC06-089. The State Fire Marshal, under order number FM-1237, dated 7-18-07, permitted the firm to retain its extinguisher Certificate of Registration, ECR-961, subject to paying an administrative penalty of \$3,000 and under order number FM-1229, dated 6-6-07, permitted Henley to retain his fire extinguisher technician license, FEL-366, subject to payment of an administrative penalty of \$1,000.

Texas Panhandle Heritage Foundation, Inc. of Canyon Texas, acting by and through its employees, allegedly failed its primary responsibility to safely discharge a fireworks display by failing to position and secure mortars so that shells are propelled away from spectators, and to bury mortars 2/3 to 3/4 of their length in the ground or otherwise adequately secure them during discharge according to SFMO case LC06-218. The State Fire Marshal, under order number FM-1238, dated 7-30-07, permitted the firm to retain its Public Display Permit No. FMDP-0097, subject to paying an administrative penalty of \$2,000.

Clark Fire Equipment, Inc., of Houston, allegedly violated the fire alarm laws by engaging in the fire alarm business and failing to maintain in force and on file the required general liability insurance coverage according to case LC07-148. The State Fire Marshal, under order number FM-1239, dated 8-13-07, permitted the firm to retain its Extinguisher Certificate of Registration, ECR-681, subject to paying an administrative penalty of \$1,000.

Ralph B. Johnson and Gabriella P. Johnson d/b/a Nu-Con Safety and Sound, of El Paso, acting individually and as a firm, allegedly violated the fire alarm laws by engaging in the fire alarm business and failing to maintain in force and on file the required general liability insurance coverage according to case LC06-224. The State Fire Marshal, under order number FM-1241, dated 8-15-07, permitted the firm to retain its Fire Alarm Certificate of Registration, ACR-1059, subject to paying an administrative penalty of \$750.

Jeremy Shawn Phillips, of Gunter, acting individually and with other accomplices, allegedly violated the fire extinguisher laws by failing to obtain a fire extinguisher Certificate of Registration before engaging in the business of installing a fixed fire extinguisher system according to case LC07-064. The State Fire Marshal, under order number FM-1242, dated 8-22-07, permitted Phillips to retain his license, FEL-9654, subject to payment of an administrative penalty of \$1,000.

Armor Alarms, Inc., of Houston, acting by and through its employees, installed a fire alarm system and allegedly failed to have the system planned by an individual holding an alarm planning superintendent's license issued through the State Fire Marshal's Office or a Texas registered professional engineer according to case LC07-004. The State Fire Marshal, under order number FM-1243, dated 8-28-07, permitted the firm to retain its registration, ACR-2471, subject to payment of an administrative penalty of \$2,000.