



Texas Department of Insurance

State Fire Marshal's Office, Mail Code 112-FM
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TEXAS STATE FIRE MARSHAL OFFICIAL ORDERS ISSUED SEPTEMBER 2007 THROUGH AUGUST 2008

Nikki Irvin, d/b/a Integrity Fire Protection and **Billy Joe Irvin**, of Palmhurst, acting individually and as a firm, allegedly failed to install and service portable and fixed fire systems according to the manufacturer's installation manual and the adopted standards. Allegations included failing to install the correct system actuation cartridge, failing to correctly install the discharge piping by manifolding the systems, failing to install the correct fusible link detectors, failing to replace the CO2 pilot cartridge actuator, and failing to operate the pull pin and attach a new tamper seal on a portable extinguisher according to SFMO cases LC07-105, LC07-152, and LC07-156. After correcting the violations at no cost to the property owner, the State Fire Marshal, under orders number FM-1245 and FM-1246, dated 9-24-07, permitted the firm to retain its extinguisher Certificate of Registration, ECR-1642, and Irvin to retain license FEL-8052-A subject to paying an administrative penalty of \$6,000.

MMM, Inc., d/b/a Crazy Debbie's Four Star State Fireworks, Inc., of Joplin Missouri, 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 LC07-168. The State Fire Marshal, under order number FM-1247, dated 9-24-07, permitted the firm to retain its distributor's license, FWD-0080, subject to paying an administrative penalty of \$500.

Blaine Bertrand of Amarillo Texas, allegedly failed his primary responsibility to safely supervise the discharge a fireworks display by failing to position and secure mortars so that shells are propelled away from spectators or otherwise adequately secured them during discharge according to SFMO case LC06-218. The State Fire Marshal, under order number FM-1248, dated 11-8-07, permitted Bertrand to retain his Pyrotechnic Operator's License, FPO-1122, subject to paying an administrative penalty of \$1,000.

Shanon DeWayne Cook of Rhome. The State Fire Marshal, under order number FM-1249, dated 11-28-07, denied the application for a Fire Alarm Technician's license after evaluation of the applicant's criminal history by the Criminal History Review Committee pursuant to the evaluation criteria in Tex. Occ. CODE Ann. §53.021 and based on the Findings of Facts and Conclusions of Law, after conducting a hearing before an Administrative Law Judge, at the State Office of Administrative Hearings.

Lorenzo Yin d/b/a Firetech Co. of El Paso, acting individually and as a firm, allegedly failed to install and service a fixed fire protection kitchen hood system according the adopted standards. Allegations included attaching a service tag to a system that did not contain an extinguishing agent and did not have the gas shut-off valve connected at a school in El Paso according to SFMO cases LC05-246. The State Fire Marshal, under order number FM-1251, dated 11-28-07, permitted the firm to retain its extinguisher Certificate of Registration, ECR-1426, and Yin to retain license FEL-7983A, subject to paying an administrative penalty of \$5,000 and providing a list each month to the El Paso Fire Department of every location in which fire extinguisher work was performed. The registration and license was put on one year probation such that any subsequent violation of the Fire Extinguisher laws will result in revocation.

Shawn Pedigo, of Weatherford. The State Fire Marshal, under order number FM-1252, dated 12-10-07, permitted Mr. Pedigo 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 (except Class C misdemeanor traffic violations), refrain from entering any premise specifically restricted in his conditions of parole, present a copy of this order to any new employer and provide a quarterly report to the State Fire Marshal's Office or after notice and hearing his license shall be revoked.

SimplexGrinnell LP, of Houston, acting by and through its employees, allegedly violated the SFMO adopted national standards, by failing to provide sprinkler system plans to the Authority Having Jurisdiction (AHJ) prior to commencing installation, failing to install a fixed fire extinguisher system in accordance with the technical standards, and installing a fire alarm system that was not designed by an appropriately licensed individual according to case LC04-152, LC04-220, and LC05-144. The State Fire Marshal, under order number FM-1253, dated 12-13-07, permitted the firm to retain its registrations, SCR-0659, ACR-2147, and ECR-1627 subject to payment of an administrative penalty of \$5,000.

Mutual Sprinklers, Inc. of Dallas, acting by and through its employees, allegedly attached multiple yellow tags, indicating noncompliance with the codes, to a fire sprinkler system at a school and failed to notify the local authority having jurisdiction in writing according to case LC06-253. The violation was discovered by the local fire official making a routine inspection and reported the complaint. The State Fire Marshal, under order number FM-1254, dated 12-13-07, permitted the firm to retain its registration, SCR-0013 subject to payment of an administrative penalty of \$500.

Mannie Lee Jefferson of Dallas. The State Fire Marshal, under order number FM-1255, dated 12-20-07, denied the application for a Fire Alarm Technician's license. The applicant's criminal history was first reviewed by the Criminal History Review Committee and evaluated according to Tex. Occ. CODE Ann. §53.021. After hearing at the State Office of Administrative Hearings, the Administrative Law Judge determined the application should be denied.

R&S Electronic Services Inc., of Channelview, 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 LC08-005. The State Fire Marshal, under order number FM-1256, dated 1-2-08, permitted the firm to retain its Fire Alarm Certificate of Registration, ACR-2137, subject to paying an administrative penalty of \$750.

Jerome Bailey, of Garland The State Fire Marshal, under order number FM-1257, dated 1-4-08, permitted Mr. Bailey to obtain an extinguisher 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 (except Class C misdemeanor traffic violations), and remain employed by current employer who performs regular periodic drug testing while on probation, present a copy of this order and notice of criminal record to any new employer or after notice and hearing his license shall be revoked.

Wayne Alan Story, of Grand Prairie The State Fire Marshal, under order number FM-1258, dated 1-9-08, permitted Mr. Bailey to renew his fire alarm technician's 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 (except Class C misdemeanor traffic violations), and provide a copy of this order and notice of his criminal record to any future fire alarm firm which employs him, or after notice and hearing his license shall be revoked.

Skelton Time and Controls, Inc., of San Antonio, allegedly serviced a fire alarm system that had been made inoperable after a lightning strike and attached a red label to the control panel at a school and notified the property owner but failed to notify the local fire official of the inoperable system in writing, according to case LC08-012. The State Fire Marshal, under order number FM-1259, dated 1-11-08, permitted the firm to retain its Fire Alarm Certificate of Registration, ACR-83027-518, subject to paying an administrative penalty of \$550.

Texas Fire & Life Safety Inc., of Dallas, allegedly violated the fire extinguisher and fire alarm laws by engaging in the fire extinguisher and alarm business and failing to maintain in force and on file the required general liability insurance coverage according to case LC07-254. The State Fire Marshal, under order number FM-1260, dated 1-18-08, permitted the firm to retain its Extinguisher Certificate of Registration, ECR-1812 and its Alarm Certificate of Registration, ACR-2732 subject to paying an administrative penalty of \$750.

David C. Sellers, Jr., of Willis The State Fire Marshal, under order number FM-1261, dated 1-18-08, permitted Mr. Sellers to obtain a Responsible Managing Employee Fire Sprinkler Underground license, subject to a probation period to run concurrent with the terms and conditions of his probation in Montgomery County, 221st Judicial District Court.

AFA, Inc., of Lubbock, acting by and through its employees, allegedly violated the SFMO adopted national standards; by failing to provide extinguisher system plans to the Authority Having Jurisdiction (AHJ) prior to commencing installation; by failing to attach an installation label and to complete an installation certificate according to case LC06-096. The State Fire Marshal, under order number FM-1262, dated 2-20-08, permitted the firm to retain its registrations, ECR-694 subject to payment of an administrative penalty of \$1,000.

Roy Dan Ramos, of Grand Prairie, acting individually and without the knowledge of his registered employer, allegedly engaged in the business of installing fire extinguisher systems at multiple fast food restaurants, outside normal working hours without obtaining an Extinguisher Certificate of Registration according to LC05-200. The State Fire Marshal, under order number FM-1263, dated 3-3-08, permitted Mr. Ramos to retain his extinguisher license, FEL-8530A, subject to paying an administrative penalty of \$3,000 and provide a monthly report, for 15 months, indicating every location where he performs any service or installation of fire extinguisher systems.

Western Enterprises, Inc., of Carrier, Oklahoma acting by and through its employees, allegedly failed to adequately secure certain fireworks devices causing ignited stars to shoot out horizontally toward spectators according to case LC06-217. The State Fire Marshal, under order number FM-1264, dated 3-3-08, permitted the firm to retain its Fireworks Distributor License FWD-0013, subject to paying an administrative penalty of \$2,000.

Michael J. Hunepohl d/b/a/ Security City, of League City, 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 LC07-236. The State Fire Marshal, under order number FM-1265, dated 3-3-08, permitted the firm to retain its Alarm Certificate of Registration, ACR-2912 subject to paying an administrative penalty of \$750.

Larry Lee Jergins of Springtown, allegedly failed to adequately secure roman candles, as required by the manufacturer, during a public fireworks display, resulting in their dislodging and causing the pyrotechnic material (stars) to propel horizontally toward spectators according to case LC06-217. The State Fire Marshal, under order number FM-1266 dated 3-19-08, permitted Jergins to retain his Pyrotechnic Operator's License, FPO-0122, subject to paying an administrative penalty of \$3,000.

Southwest Alarms, of Midlothian, while 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 LC07-010. The State Fire Marshal, under order number FM-1267, dated 3-20-08, permitted the firm to retain its alarm Certificate of Registration, ACR-1779, subject to paying an administrative penalty of \$1,000.

Lonestar Security, of Duncanville, while 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 LC07-030. The State Fire Marshal, under order number FM-1268, dated 3-25-08, permitted the firm to retain its alarm Certificate of Registration, ACR-2290, subject to paying an administrative penalty of \$1,125.

Sergio Rios, d/b/a S. R. A. Services, of Edinburgh, acting individually and as a firm, allegedly violated the fire alarm laws by failing to maintain in force and on file the required general liability insurance coverage according to case LC07-248. After failing to reply, to the notice for hearing, a disposition by default was rendered resulting in State Fire Marshal, order number FM-1269, dated 3-25-08, ordering the revocation of its Certificate of Registration, ACR-2118

Alarm Watch, Inc., of Pearland, while engaging in the fire alarm business, violated the fire alarm laws by failing to maintain in force and on file the required general liability insurance coverage according to case LC07-041. After failing to reply, to the notice for hearing, a disposition by default was rendered resulting in State Fire Marshal, order number FM-1270, dated 4-7-08, ordering that upon failure to pay an administrative fine of \$875 within 60 days, its Certificate of Registration, ACR-1993, is automatically revoked by default.

Kathy Lynn Perdue d/b/a Wiretech, of Corinth, acting individually and as a firm engaging in the fire alarm business, violated the fire alarm laws by failing to maintain in force and on file the required general liability insurance coverage according to case LC07-042. After failing to reply, to the notice for hearing, a disposition by default was rendered resulting in State Fire Marshal, order number FM-1271, dated 4-7-08, ordering that upon failure to pay an administrative fine of \$2,250 within 60 days, its Certificate of Registration, ACR-1932, is automatically revoked by default. Payment was not received.

Mark G. Infante, of Houston. The State Fire Marshal, under order number FM-1272, dated 4-7-08, permitted Mr. Infante 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, be convicted or put on deferred adjudication of any criminal charge, (except Class C misdemeanor traffic violations), submit to a random drug test twice a year at his place of employment, and provide a copy of this order to any future employer. If after notice and hearing it is found he failed to comply with the conditions of the order, his license shall be revoked.

H2O Fire Systems, L.P., of Dallas, while engaging in the fire alarm and fire sprinkler business, violated the laws by failing to maintain in force and on file the required general liability insurance coverage according to case LC07-208 and LC07-230. The State Fire Marshal, under order number FM-1273, dated 4-29-08, permitted the firm to retain its Alarm Certificate of Registration, ACR-2743 and Sprinkler Certificate of Registration, SCR-2743, subject to paying an administrative penalty of \$1,750.

All American Security, LLC. of Edinburg, while engaging in the fire alarm business, allegedly installed a fire alarm system without evidence of planning the system by an appropriately licensed individual, in violation of the adopted standards, according to case LC08-011. The State Fire Marshal, under order number FM-1274, dated 4-29-08, permitted the firm to retain its registration, ACR-2538, subject to payment of an administrative penalty of \$3,000, identifying, planning and correcting the installed alarm system, at no cost to the property owner.

Vincenzo Turidu Eustachio, of Wylie, acting individually and without knowledge of his registered employer at the time, allegedly engaged in the business of installing fire extinguisher system, outside normal working hours without obtaining an Extinguisher Certificate of Registration, according to case LC05-201. The State Fire Marshal, under order number FM-1275, dated 4-30-08, permitted Mr. Eustachio to retain his extinguisher license, FEL-9541A, subject to paying an administrative penalty of \$1,000, and provide a monthly report, for 15 months, indicating every location where he performs any service or installation of fire extinguisher systems.

Employees or agents of **Rich Haman**, of Humble, allegedly sold fireworks from a retail fireworks stand, owned and permitted to Rich Haman, after July 4th, the final day of the permitted fireworks selling season according to case LC07-214. The State Fire Marshal, under order number FM-1276, dated 5-12-08, permitted Mr. Haman to purchase future fireworks retail stand permits, subject to paying an administrative penalty of \$800.

The Safeguard System, Inc., of Corpus Christi, while engaging in the fire alarm business, attached a red label to an inoperable fire alarm system in a school, and failed to immediately notify the local authority having jurisdiction, in violation of the fire alarm rules, according to case LC07-134. The State Fire Marshal, under order number FM-1277, dated 5-14-08, permitted the firm to retain its registration, ACR-80018-320, subject to payment of an administrative penalty of \$500.

Michael Ray Whittacre, of Sulphur Springs, acting individually and while employed by a registered extinguisher firm, allegedly misrepresented facts concerning the required services for a fire extinguisher in that he claimed; he could not service a certain fire extinguishers because of a new UL 299 standard; claimed that the new standard was something "those fire marshals came up with so you would have to buy new fire extinguishers" and that he had new extinguishers on his truck available for purchase; recharged a fire extinguisher that only required annual maintenance because he knew the person previously servicing the extinguisher and could not be certain the correct dry chemical was previously used; according to case LC06-144. The State Fire Marshal, under order number FM-1278, dated 6-18-08, permitted Mr. Whittacre to retain his extinguisher license, FEL-9434A, subject to paying an administrative penalty of \$2,000.

Protech Fire & Safety, LLC, of Clint, while 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 LC07-126. The State Fire Marshal, under order number FM-1279, dated 6-13-08, permitted the firm to retain its alarm Certificate of Registration, ECR-1318, subject to paying an administrative penalty of \$1,250.

Jose Leija Sr. of La Feria, acting individually and while employed by a registered extinguisher firm, allegedly failed to attach a red tag to an impaired fixed fire extinguisher system, in which the system had loose pipes, nozzles covered in grease, and nozzles not aimed correctly at the protected appliances and failed to notify the local authority having jurisdiction, in writing, within one day according to case LC07-157. The State Fire Marshal, under order number FM-1280, dated 6-18-08, permitted Mr. Leija to retain his extinguisher license, FEL-9138A, subject to paying an administrative penalty of \$500.

Joseph Buck Security, Inc. of Euless, engaging in the fire alarm business, violated the fire alarm laws by failing to maintain in force and on file the required general liability insurance coverage according to case LC07-102. After failing to reply, to the notice for hearing, a disposition by default was rendered resulting in State Fire Marshal order number FM-1281, dated 6-25-08, ordering that upon failure to pay an administrative fine of \$875 within 60 days, its Certificate of Registration, ACR-2651, is automatically revoked by default. Payment was not received.

Melissa L. Hernandez d/b/a L & M Safety Service, of Snyder, while engaging in the fire extinguisher business, violated the fire extinguisher laws by failing to maintain in force and on file the required general liability insurance coverage according to case LC07-037. After failing to reply, to the notice for hearing, a disposition by default was rendered resulting in State Fire Marshal order number FM-1282, dated 7-7-08, ordering that upon failure to pay an administrative fine of \$1,875 within 60 days, its Certificate of Registration, ECR-1668, is automatically revoked by default.

Joseph Pantalion, Jr., of Houston, acting individually, allegedly serviced fire extinguishers at several different locations, while not employed by a registered extinguisher firm and used tags with the name of a formerly registered fire extinguisher firm according to case LC06-236, LC06-250, LC06-251, and LC06-210. After failing to reply, to the notice for hearing, a disposition by default was rendered resulting in State Fire Marshal order number FM-1283, dated 7-28-08, ordering that Mr. Pantalion extinguisher license FEL-6803A is revoked.