

BEFORE THE ARKANSAS HVAC/R BOARD

IN THE MATTER OF JOHN JACKSON, RESPONDENT

CASE NO. JB07022024A

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

A hearing on the above-referenced matter was held before the Arkansas HVAC/R Board (“Board”) at 10:00 a.m. on October 9, 2024, located at 900 West Capitol Ave., Suite 400, Little Rock, AR 72201. John Jackson (“Respondent”) appeared personally via zoom and was not represented by counsel. Arkansas Department of Labor and Licensing Counsel Lacie Kirchner appeared on behalf of the Board.

Finding proper notice had been given Respondent, the Board, from all the evidence presented, makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On or about July 1, 2024, the Board received a complaint from Amanda Leland regarding HVAC work completed at her residence of 11301 Agape Valley Way, Mansfield, Arkansas 72944.
2. On July 2, 2024, Arkansas Department of Labor and Licensing Inspector Jeffrey Brenaman went to Ms. Leland’s residence and completed an inspection of the work completed.
3. Inspector Brenaman was informed by Ms. Leland that John Jackson (“Respondent”) had completed the work done on her home.
4. Ms. Leland provided Inspector Brenaman with a copy of a paid in full invoice from Respondent in the amount of \$600.00 and several text messages between Ms. Leland and Respondent regarding the work he performed.
5. Inspector Brenaman noted multiple code compliance deficits during his inspection of 11301 Agape Valley Way. A total of eighty-two (82) violations were noted in Inspector Brenaman’s report that was provided to Respondent.

6. Inspector Brenaman did a license check and determined Respondent had no HVAC license or registration with the Board.
7. On July 2, 2024, Inspector Brenaman attempted to contact Respondent at the phone number given to Ms. Leland, as well as visiting two (2) locations listed on Respondent's social media.
8. Inspector Brenaman made further attempts to contact Respondent via email and telephone with no response from Respondent.
9. During the hearing, Respondent admitted to not having an HVAC/R license and performing HVAC/R work.

CONCLUSIONS OF LAW

1. Respondent's actions as set forth above in Findings of Fact 3,4, 6, & 9, constitute violations of Ark. Code Ann. §17-33-301 in that Respondent failed to obtain the necessary license to perform HVAC/R work.
2. Respondent's actions as set forth above in Findings of Fact 3-6 & 9, constitute the following violations of the IMC 2021:
 - a. One (1) violation of IMC 2021 – 105.5 Material, equipment, appliance reuse;
 - b. Two (2) violations of IMC 2021 – 301.17 Rodent Proofing;
 - c. One (1) violation of IMC 2021 – 307.2.5 Drain line maintenance;
 - d. One (1) violation of IMC 2021 – 602.1 General Plenum Construction;
 - e. One (1) violation of IMC 2021 – 603.1 Duct Construction & Installation;
 - f. Twelve (12) violations of IMC 2021 – 603.6 Flexible air ducts and flexible connectors;
 - g. Twenty-four (24) violations of IMC – 603.9 Joints, seams, connections sealed;
 - h. Twenty-four (24) violations of IMC – 603.10 Supports; and
 - i. Fourteen (14) violations of IMC - 604.1 Insulation.

ORDER


1. Respondent is hereby ordered to pay a civil money penalty in the amount of fourteen thousand, three hundred and fifty dollars (\$14,350). Respondent shall pay a minimum of seven thousand, one hundred and seventy-five dollars (\$7,175) within thirty (30) days of

the date of this Order. The remaining seven thousand, one hundred and seventy-five dollars (\$7,175) shall be paid in accordance with a payment plan agreed upon with staff.

2. Any further violations of law or rules of the Board or failure on the part of the Respondent to comply with the terms and conditions of this Order may result in additional sanctions.

Pursuant to the Arkansas Administrative Procedure Act, Ark. Code Ann. §25-15-212, Respondent may petition for judicial review of this decision by filing a petition in the Circuit Court in the County in which he resides or does business or in the Circuit Court of Pulaski County within thirty (30) days after service of this Order.

HEATING, VENTILLATION, AIR CONDITIONING and
REFRIGERATION LICENSING BOARD, DEPARTMENT
OF LABOR AND LICENSING,
STATE OF ARKANSAS

By: 
Alan Dean, Chairman

Date: 10-15-2024

Approved as to form:
/s/ Lacie Kirchner
Lacie Kirchner, 2014041
Attorney
Arkansas Department of Labor and Licensing