



STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
LANDSCAPE CONTRACTORS'
LICENSING BOARD 23.216.S, 24.225.S
OAH CASE 24BLA02143

NORTH CAROLINA LANDSCAPE)
CONTRACTORS' LICENSING BOARD,)

Plaintiff,)

v.)

TRUE EDGE LANDSCAPING, LLC)
(License No. CL 1742), and)
CAMERON MORGAN (License No. 3569),)

Respondents.)

FINAL AGENCY DECISION

This matter is before the North Carolina Landscape Contractors' Licensing Board (the "Board"), pursuant to N.C. Gen. Stat. § 150B-42, for review of the Official Record and issuance of a Final Agency Decision following the conclusion of proceedings in the Office of Administrative Hearings (OAH Case No. 24 BLA 02143) and the issuance of an Amended Proposal for Decision filed on August 28, 2024. Pursuant to N.C. Gen. Stat. § 150B-40(e), the parties were provided with the opportunity to file exceptions, proposed findings of fact, and written arguments and to present oral arguments to the Board.

Board members present were as follows: Chris Mitchell, Scott Arnold, Henry Hardy, Darrin Hockstra, Ruth Holcomb, Lee Ivey, and Mark Metzler. Kerry Danger and Tim Boone were excused. Chris Mitchell, Board Secretary, presided. A. Grant Simpkins, Board Counsel, appeared on behalf of Board staff and presented oral arguments and proposed findings of fact. Respondents were not present. Additionally, Respondents did not file exceptions, proposed findings of fact, or written arguments for consideration by the Board.

FINAL AGENCY DECISION

Having considered the assigned Administrative Law Judge's Amended Proposal for Decision and the Official Record, the Board issues this Final Agency Decision pursuant to N.C. Gen. Stat. § 150B-42.

I. Findings of Fact

The Board hereby adopts the Findings of Fact as set forth in the Amended Proposal for Decision, without amendment or modifications, which is incorporated by reference herein. Additionally, the Board adopts the following:

1. On August 1, 2020, Petitioner Board issued Respondent Cameron Morgan ("Morgan") a landscape contractor's license, License No. 3569. The license was last renewed on August 4, 2023, and is currently valid.
2. On October 18, 2022, Petitioner Board issued Respondent True Edge Landscaping, LLC ("True Edge") a corporate landscape contractor license, License No. CL 1742, which is currently valid. Morgan is the qualifying party for True Edge.
3. True Edge is a limited liability company organized and registered under the laws of the State of North Carolina. Morgan is the Registered Agent and Administrative Member of True Edge.
4. Neither Morgan nor True Edge have had prior disciplinary action imposed by the Board.

23.216.S

5. On October 9, 2023, Edward Garner ("Garner") filed a complaint with Petitioner Board against Morgan and True Edge alleging misconduct in that Morgan and True Edge abandoned a project. The file number assigned by Petitioner Board was 23.216.S. The Board subsequently commenced an investigation.

6. Upon information and belief, on or about May 13, 2023, Garner entered into a contract with Respondents to construct two patios and a fire pit at Garner's property located at 1901 Ceder Dam Lane, Wendell, Wake County, North Carolina. The total cost of the contract was \$21,000.00.
7. The above-referenced contract included the installation of pavers and materials, power conduit, a pergola, retaining wall, stepping stones, and sod, and stated that the project was to be "completed in 10-12 working days depending on weather conditions."
8. Upon information and belief, on July 18, 2023, Respondents sent Garner a revised contract for the above-referenced project with a total cost of \$26,125.00. The revised contract indicated work would begin in July 2023 and be "completed in 10-16 working days depending on weather conditions."
9. Upon information and belief, Garner paid Respondents \$23,900.00 for the above-referenced project.
10. On or about July 24, 2023, Respondents began work on the above-referenced project.
11. Respondents subsequently abandoned the project.

24.225.S

12. On January 21, 2024, Angela Chavis Jimerson ("Jimerson") filed a complaint with Petitioner Board against Morgan and True Edge alleging misconduct in that Morgan and True Edge abandoned a project. The file number assigned by Petitioner Board was 24.225.S. The Board subsequently commenced an investigation.
13. Upon information and belief, on September 24, 2023, Jimerson entered into a contract with Respondents for a patio with grill island. The total cost of the contract was \$22,424.00 with

a start date of November 13-17. The contract indicated that work “will be completed in 10-16 working days depending on weather conditions.”

14. Respondent and Jimerson selected specific pavers to be used on the project which increased the total cost of the contract by \$5,000.00, without Jimerson’s knowledge of the price increase.
15. Upon information and belief, when Jimerson was made aware of the price increase, she requested that Respondents use the original pavers. However, Respondents notified Jimerson that the new, more expensive pavers had already been ordered.
16. On December 6, 2023, Respondents provided a revised contract to Jimerson with a total cost of \$27,677.00.
17. On December 8, 2023, Respondents provided a second revised contract with a total cost of \$31,600,00.
18. On January 3, 2024, Respondents provided a change order to Jimerson for the above-referenced project. The change order reflected a price increase of \$3,925 to install a wall at the lower patio.
19. Upon information and belief, Jimerson declined the above-reference change order and requested the project be completed under the terms of the existing contract.
20. Respondents subsequently abandoned the project.

II. **Conclusions of Law**

The Board hereby adopts the Conclusions of Law proposed by the assigned Administrative Law Judge, as set forth in the Proposal for Decision except as follows:

Conclusions of Law 1 and 8 are hereby removed from the Final Agency Decision.

The remaining Conclusions of Law are hereby incorporated by reference. Additionally, the Board adopts the following:

1. In the matter of 23.216.S, the Board concludes that the actions of Respondents as described above violate G.S. § 89D-22(3) and constitute gross malpractice and/or incompetence in the practice of landscape contracting.
2. In the matter of 24.225.S, the Board concludes that the actions of Respondents as described above violate 21 N.C.A.C. 28B .0501(d) in that Respondents did not report to Jimerson observations in the condition of the project that required attention beyond the original scope of work.
3. In the matter of 24.225.S, the Board concludes that the actions of Respondents, as described above, fall below the adopted and published minimum standards of the Board, violate G.S. § 89D-22(3) and constitute gross malpractice and/or incompetence in the practice of landscape contracting.

III. **Final Agency Decision**

Based on the foregoing, it is therefore ORDERED as follows:

1. Respondent True Edge Landscaping, LLC's License No. CL 1742 is hereby REVOKED.
2. Respondent Cameron Morgan's License No. 3569 is hereby REVOKED.

This the 23rd day of October, 2024.

By:



Chris Mitchell, Presiding Officer
North Carolina Landscape Contractors' Licensing Board