

STATE OF NORTH CAROLINA BY: S. Smallwood IN THE GENERAL COURT OF JUSTICE
COUNTY OF WAKE SUPERIOR COURT DIVISION
24CV028346-910

NORTH CAROLINA LANDSCAPE)
CONTRACTORS' LICENSING BOARD,)
)
Plaintiff,)
)
v.)
)
BIEBER LANDSCAPE DESIGN, LLC,)
)
Defendant.)

DEFAULT JUDGMENT

The North Carolina Landscape Contractors' Licensing Board's ("Plaintiff") Motion for Default Judgment was heard on December 17, 2024, before the undersigned presiding judge. The Court having reviewed the pleadings, makes the following:

FINDINGS OF FACT

1. Plaintiff is an agency of the State of North Carolina created under the authority of Chapter 89D of the General Statutes of North Carolina.
2. Defendant Bieber Landscape Design, LLC, ("Defendant") is:
 - a) A limited liability company organized under the laws of North Carolina with a principal place of business of 128 Greomar Drive, Holly Springs, North Carolina. Bradley Adam Bieber is the Registered Agent and Managing Member; and
 - b) Was previously licensed by Plaintiff Board as a "Landscape Contractor," as that term is defined by N.C. Gen. Stat. § 89D-11(3), license number CL.00720. Defendant's license expired on July 31, 2023.
3. Upon information and belief, Defendant engaged in the practice of landscape construction or contracting in violation of N.C. Gen. Stat. § 89D-12(a). Specifically, on or about May 16, 2024, Defendant submitted an estimate for the installation of an outdoor learning environment at St. Mary's Episcopal Church, located at 800 Roundtree Street, Kinston, Lenoir County, NC 28501. The total estimated cost listed was \$320,250.00.

4. By entering into a contract for landscaping services in excess of \$30,000.00 during a 12-month period without first obtaining requisite licensure from Plaintiff Board or qualifying for any of the licensure exemptions set forth in N.C. Gen. Stat. § 89D-13 Defendant has engaged in the unlicensed practice of landscape construction and contracting.
5. Defendant has been duly served with the Summons and Complaint and Application for Injunctive Relief in this action.
6. Entry of Default was filed on October 15, 2024.

CONCLUSIONS OF LAW

1. Plaintiff is authorized to bring this suit and to obtain injunctive relief under the provisions of N.C. Gen. Stat. § 89D-24.
2. Defendant has violated N.C. Gen. Stat. §§ 89D-11 and 89D-12.
3. Plaintiff is entitled to judgment by default.

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED, ADJUDGED, AND DECREED that:

- I. Plaintiff's Motion for Default Judgment is hereby granted; and
- II. Defendant is hereby permanently enjoined from the practice of landscape construction or contracting in North Carolina until such time as Defendant is licensed by the Board.

SO ORDERED. 17th of January, 2025



Clayton D. Somers
Superior Court Judge Presiding