

## Legislative Action Sought in Predatory Contracting

Written by Steve Frank

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An Ashe realtor has taken on the predatory pavers working the western part of the state, emailing the press, legislators and law enforcement, expressing frustration over the pavers skirting the law. Brad Collins attached news articles on from other areas about a Frank Small, a paver apparently calling on property owners in the High Country area for a number of years. Collins wrote to legislators Jonathan Jordan and Dan Soucek saying, "Since contacting local law enforcement, the local District Attorney Jerry Wilson, the local SBI unit, and the NC Attorney General this week...no one plans to arrest Small or charge him with anything!" He said "I have contacted law enforcement in three other states which have all charged him, and he has pending court dates." Collins said that the problem is with a loop hole in the NC Contractor licensing law, allowing construction work costing under \$30,000 with little regulation. He told the legislators "this can be fixed by establishing a Sub-Standard license. This means individuals performing work under \$30,000 must form a corporation, submit NC and Federal tax numbers, proof of insurance, background check, be bonded, and be regulated by the NC licensing Board for General Contractors."

I asked the NC Attorney General's office about Small and was told that there was nothing eminent against him, Jennifer Canada saying that they have seen information linking Small as doing business with Platinum Paving which is in the process of prosecution, but she said Small is not a defendant. She said "We anticipate getting a default judgment and permanent injunction against Mr. Todd Whittaker d/b/a Platinum Paving later this summer." Numerous complaints were filed against him and that firm last summer, leading to a restraining order and to the AG office action. Canada said to "Please encourage other victims of Mr. Whittaker you may hear from to file complaints with us, we can include them in the court judgment and also report the transaction to revenue officials." She listed several other paving firms that are being prosecuted by the AG's office in the state. Law enforcement in the area report complaints about Frank Small, but that most appear to be civil matters, and their hands are tied by the legal loopholes. Sheriff James Williams in Ashe said such operators know "how to walk on the edge of the law." Bottom line—deal with contractors you know or can check thoroughly, and know you have three days to back out of any such contract.