BEFORE THE NORTH CAROLINA BUILDING CODE COUNCIL RALEIGH, NORTH CAROLINA

Docket No. 2011-02

IN THE MATTER OF AN APPEAL BY AMARR GARAGE DOORS OF NORTH CAROLINA DEPARTMENT OF INSURANCE DECISION DATED 28 SEPTEMBER 2011

ORDER

This matter came for hearing before the North Carolina Building Code Council (the "Council") on September 11, 2012 upon the appeal of Amarr Garage Doors from the Deputy Commissioner of the North Carolina Department of Insurance's September 27, 2011 decision; and the Council, having considered the record and the testimony and arguments presented by the parties, concludes that for good cause that the Deputy Commissioner's decision is AFFIRMED solely as it pertains to the denial of a specific certificate of occupancy for a 4400 square foot single family home at Lot 53 High Grove in Fuquay Varina that includes an Amarr Model #500 Classica Garage Door.

SO ORDERED, this the 11th day of December 2012.

North Carolina Building Code Council

By:

Dan Tingen, Chairman

NOTICE OF APPEAL RIGHTS

This Order is a Final Agency Decision and may be appealed to Superior Court by a party aggrieved within 30 days of receipt of the same as set out in N.C. Gen. Stat. §143-141(d) and Chapter 150B of the North Carolina General Statutes.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing ORDER AND FINAL AGENCY DECISION by certified mail, return receipt requested, first class postage prepaid, addressed as follows:

Brandon Gentle Amarr Garage Doors 165 Carriage Court Winston-Salem, NC 27105

USPS Tracking No. 7005 2570 0002 0973 4582

Amanda G. Ray, Esq. Womble, Carlyle, Sandridge & Rice P.O. Box 831 Raleigh, NC 27602 *Counsel for Amarr Garage Doors*

USPS Tracking No. 7005 2570 0002 0973 4869

Daniel S. Johnson Special Deputy Attorney General North Carolina Department of Justice P.O. Box 629 Raleigh, NC 27602 *Counsel for the North Carolina Department of Insurance*

USPS Tracking No. 7005 2570 0002 0973 4876

This 19th day of December 2012.

ROY COOPER ATTORNEY GENERAL

Brandon L. Truman Assistant Attorney General North Carolina Department of Justice Post Office Box 629 Raleigh, North Carolina 27602-0629 *Counsel for the Building Code Council*