

**STATE LICENSING BOARD FOR  
RESIDENTIAL AND GENERAL CONTRACTORS  
Board Meeting: September 21, 2009**

The State Licensing Board for Residential and General Contractors met on Monday, September 21, 2009, at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia, for the purpose of conducting Board business.

**The following Board members were present:**

Bob Barnard, Board Chairperson  
David Cyr, Board Vice-Chairperson  
Timothy Ansley  
Dan Cash  
Steve Cash  
Mark Herbert  
Roger Huggins  
David Moody  
Allen Richardson  
Edward Strain  
Morgan Wheeler  
Melissa Henderson

**Others present:**

Tanja Battle, Executive Director  
Eva Holmes, Administrative Assistant  
Scarlett Elliott, Board Attorney

At 3:31 p.m. Chairperson Barnard established that a quorum was present and called the meeting to order.

The board considered the following rules.

A motion was made by Mark Herbert, seconded by Morgan Wheeler, and the Board voted unanimously to post Rule 553-12-.01 License Renewal Residential Basic and Residential-Light Commercial.

553- 12-.01 License Renewal Residential Basic and Residential-Light Commercial

- (1) An application for renewal of a license, via mail or online, must be accompanied by a renewal fee as set by the Board and attestation of continuing education hours as required by the Board. Continuing Education requirements will begin with the 2012 renewal period. Continuing Education will not be required for the 2010 renewal.
- (2) The biennial renewal fee, set by the Board, is due and payable by June 30 of even numbered years. Any continuing education hours acquired to renew that license during the penalty period may not be used again during the next renewal cycle.
- (3) A penalty fee as determined by the Board shall be applicable to any applicant renewing his or her license after June 30 and through December 31 of the renewal period. Failure to renew a license by December 31 shall have the same effect as a revocation of said license. Reinstatement of a license shall be at the discretion of

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the Board, which may require that a completed application for licensure, including all applicable fees and other required information be submitted as if it was a new application. At the discretion of the Board, an applicant for reinstatement of a license may be required to successfully pass an examination.

(4) An individual who passes an examination required by the Board for certification within six months of the expiration date is exempt from all continuing education requirements for that license for the first renewal period after initial issuance of the license.

(5) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has the appropriate coverage under general liability and workers' compensation insurance.

(6) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has filed for bankruptcy during the two years between renewals or during the time between initial licensure and renewal.

(7) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she is a U.S. citizen or qualified alien.

(8) A licensee must produce, upon request of the Board, documents to support any or all of the sworn statements or affirmations made on a renewal application.

A motion was made by Allen Richardson, seconded by Mark Herbert, and the Board voted unanimously to post Rule 553-12-.02 Continuing Education-Residential.

553- 12-.02 Continuing Education-Residential.

(1) Residential contractors by virtue of their training, education and experience have been licensed by the State Licensing Board for Residential and General Contractors and therefore are eligible to provide the public with needed professional services. In furnishing these services the licensed residential contractor occupies a unique position of public trust. It is essential in maintaining this trust that each licensed residential contractor continuously strive to increase his or her technical skills and knowledge.

(2) Pursuant to the provision of O. C. G. A Section 43-41-6(k), the Board prescribes the following regulations establishing requirements of continuing professional education to be met from time to time by licensed residential contractors in order to demonstrate that they are continuing their professional education as a condition to continued licensure beginning with the 2012 renewal cycle.

(a) Upon renewal of an existing license and as a condition to the renewal thereof, residential contractors licensed in the state of Georgia shall maintain and furnish to the Board, upon request or random audit, official documentation of having completed a minimum of three (3) hours of continuing education during each biennium for a Residential Basic license and a minimum of six (6) hours of continuing education during each biennium for a Residential Light Commercial license. Official documentation of course attendance must be maintained by a licensed residential contractor for at least two (2) years following the end of the biennium during which the course is taken.

(b) Compliance with all continuing education requirements is a condition for license renewal. Failure to complete all hours of mandatory continuing education shall serve as grounds to deny the renewal of a license and may

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also result in disciplinary action being taken against a licensee.

A motion was made by Mark Herbert, seconded by Melissa Henderson, and the Board voted unanimously to post Rule 553-12-.03 Programs Which Qualify. Roger Huggins and David Cyr abstained from the vote.

553-12-.03 Programs Which Qualify.

(1) The overriding consideration in determining whether a specific program qualifies as acceptable continuing education is that it be a formal program of learning which contributes directly to the professional competence of an individual licensed to practice as a residential contractor by this State, and which meets the minimum standards of quality of development and presentation and of measurement and reporting of credits as may be established from time to time by the Board.

(2) Subject Matter: The following general subject matters are acceptable so long as they meet the standards specified in subsection (1):

(a) Building and related codes;

(b) Functional fields of business (e.g., finance, marketing, personnel relations, business management, and organization);

(c) Legal, legislative or regulatory updates;

(d) Workplace safety; and

(e) Workers compensation.

(3) Subjects of study other than those listed above will be acceptable if the applicant or program provider can demonstrate to the Board that the subjects contribute directly to the professional competence of an individual licensed to practice as a residential contractor by this State. The responsibility for substantiating that a particular program is acceptable and meets the requirements rests upon the applicant or program provider.

Applications for approval of subjects other than those listed in subsection (2) above shall be submitted to the Board at least thirty (30) days prior to the date of the program. Such applications shall include the name of the program provider, the instructor(s) for the program, the location of the program, a description of the program's content and how the proposed program satisfies the requirements of subsection (1), and a program outline. The Board or the Board's designee shall act on the application within ten (10) days of receipt of such application for approval.

(4) Continuing education hours may be obtained via classroom courses and/or online or correspondence courses.

(a) General requirements:

1. An outline of the program is prepared in advance by the program director and retained by the license holder;

2. The program is conducted by a person whose formal training and experience qualify him as a competent instructor;

3. Hours of continuing professional education shall be calculated in one-half continuing professional education credit hour increments;

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4. A record of registration and attendance through substantially the entire program is maintained, a copy of which is retained by the student and program provider.
5. The program provider will provide the Board with an electronic roster of license holders who have completed any course and the number of hours completed.
  - (b) The following programs will qualify provided the general requirements in (4)(a) are met:
    1. Professional development programs of recognized national, state and local trade associations;
    2. Technical sessions at meetings of recognized national, state and local trade associations and their chapters;
    3. University or college courses;
    4. Noncredit courses from a college or university;
    5. Dinner, luncheon and breakfast meetings of recognized trade associations may qualify if the requirements in (a) are met.

A motion was made by Mark Herbert, seconded by Allen Richardson, and the Board voted unanimously to post Rule 553-12-.04 Controls and Reporting. Roger Huggins and David Cyr abstained from the vote.

553-12-.04 Controls and Reporting.

- (1) An applicant for renewal of a license must provide a signed statement, under penalty of perjury, that all applicable continuing education requirements have been met.
- (2) All licensees shall maintain their records confirming attendance at and completion of continuing education, including the following information:
  - (a) School or organization conducting the program;
  - (b) Location of the program;
  - (c) Title of program or description of content;
  - (d) Program outline;
  - (e) Dates attended;
  - (f) Hours claimed;
  - (g) Evidence of satisfactory completion.
- (3) Records described in paragraph (2) of this section must be maintained by each licensee and program provider for two (2) years after the completion of the program and must be submitted to the Board upon request.
- (5) Evidence of satisfactory completion shall take the form of certificates of completion, attendance records, examination, transcripts, or other such independently verifiable evidence acceptable to the Board.
- (6) The Board will verify on a test basis information submitted by applicants for license renewals. In cases where the Board determines that the requirement is not met, the Board may grant an additional period of time in which the deficiencies may be cured.

A motion was made by David Cyr, seconded by Tim Ansley, and the Board voted unanimously to post Rule 553-12-.05 License Renewal – General Contractor Limited Tier as amended.

553-12-.05 License Renewal – General Contractor Limited Tier

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- (1) An application for renewal of a license, via mail or online, must be accompanied by a renewal fee as set by the Board and attestation of continuing education hours as required by the Board. Continuing Education will not be required for the 2010 renewal.
- (2) The biennial renewal fee, set by the Board, is due and payable by June 30 of even numbered years. Any continuing education hours acquired to renew that license during the penalty period may not be used again during the next renewal cycle.
- (3) A penalty fee as determined by the Board shall be applicable to any applicant renewing his or her license after June 30 and through December 31 of the renewal period. Failure to renew a license by December 31 shall have the same effect as a revocation of said license. Reinstatement of a license shall be at the discretion of the Board, which may require that a completed application for licensure, including all applicable fees and other required information be submitted as if it was a new application. At the discretion of the Board, an applicant for reinstatement of a license may be required to successfully pass an examination.
- (4) An individual who passes an examination required by the Board for certification within six months of the expiration date is exempt from all continuing education requirements for that license for the first renewal period after initial issuance of the license.
- (5) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has the appropriate coverage under general liability and workers' compensation insurance.
- (6) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has paid all state and federal income taxes, payroll withholding taxes, and unemployment taxes, as required by law, for the previous two years.
- (7) A licensee must affirm, on the renewal application via mail or online, that he or she has a current audit or review showing a minimum net worth of \$25,000.
- (8) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has paid all judgments, taxes, student loans or child support payments as required by law.
- (9) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has filed for bankruptcy, been subjected to an involuntary petition for bankruptcy, been adjudged bankrupt, or sought protection under the bankruptcy laws during the previous two years.
- (10) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has been convicted and sentenced, or pled guilty to, pled nolo contendere to, or been given first offender status for the commission of a felony, misdemeanor, or any offense other than a minor traffic violation within the last two years. (DWIs & DUIs are not minor traffic violations).
- (11) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has had revoked or suspended or otherwise sanctioned any professional license issued by any board or agency in Georgia or in any other state within the previous two years.
- (12) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has ever been denied issuance of or, pursuant to disciplinary proceedings, denied renewal of a professional license by any board or agency in Georgia or in any other State within the previous two years.

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(13) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she is a U.S. citizen or qualified alien.

(14) A licensee who holds a Qualifying Agent license, must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she is still affiliated with the company associated with this license.

(15) A licensee must produce, upon request of the Board, documents to support any or all of the sworn statements or affirmations made on a renewal application.

A motion was made by David Moody, seconded by David Cyr, and the Board voted unanimously to post Rule 553-12-.06 License Renewal – General Contractor Unlimited as amended.

553-12-.06 License Renewal – General Contractor Unlimited

(1) An application for renewal of a license, via mail or online, must be accompanied by a renewal fee as set by the Board and attestation of continuing education hours as required by the Board. Continuing Education will not be required for the 2010 renewal.

(2) The biennial renewal fee, set by the Board, is due and payable by June 30 of even numbered years. Any continuing education hours acquired to renew that license during the penalty period may not be used again during the next renewal cycle.

(3) A penalty fee as determined by the Board shall be applicable to any applicant renewing his or her license after June 30 and through December 31 of the renewal period. Failure to renew a license by December 31 shall have the same effect as a revocation of said license. Reinstatement of a license shall be at the discretion of the Board, which may require that a completed application for licensure, including all applicable fees and other required information be submitted as if it was a new application. At the discretion of the Board, an applicant for reinstatement of a license may be required to successfully pass an examination.

(4) An individual who passes an examination required by the Board for certification within six months of the expiration date is exempt from all continuing education requirements for that license for the first renewal period after initial issuance of the license.

(5) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has the appropriate coverage under general liability and workers' compensation insurance.

(6) A licensee must affirm, on the renewal application via mail or online, that he or she has a current audit or review showing a minimum net worth of \$150,000.

(7) A licensee must affirm, on the renewal application via mail or online, that he or she has a Line of Credit issued by a banking institution in a minimum amount of \$50,000.

(8) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has paid all state and federal income taxes, payroll withholding taxes, and unemployment taxes, as required by law, for the previous two years.

(9) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has paid all judgments, taxes, student loans or child support payments as required by law.

(10) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has filed for bankruptcy, been subjected to an involuntary petition for bankruptcy, been adjudged bankrupt, or sought protection under the bankruptcy laws during the previous two years.

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(11) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has been convicted and sentenced, or pled guilty to, pled nolo contendere to, or been given first offender status for the commission of a felony, misdemeanor, or any offense other than a minor traffic violation within the last two years. (DWIs & DUIs are not minor traffic violations).

(12) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has had revoked or suspended or otherwise sanctioned any professional license issued by any board or agency in Georgia or in any other state within the previous two years.

(13) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she has ever been denied issuance of or, pursuant to disciplinary proceedings, denied renewal of a professional license by any board or agency in Georgia or in any other State within the previous two years.

(14) A licensee must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she is a U.S. citizen or qualified alien.

(15) A licensee who holds a Qualifying Agent license must indicate by sworn statement or affirmation, on the renewal application via mail or online, whether or not he or she is still affiliated with the company associated with this license.

(16) A licensee must produce, upon request of the Board, documents to support any or all of the sworn statements or affirmations made on a renewal application.

A motion was made by Tim Ansley, seconded by David Cyr and the Board voted unanimously to post Rule 553-4-.05 *Licensure Requirements for an Individual to Practice as a General Contractor in the Individual's Own Name or Doing Business as an Individual in a Trade Name or as a Sole Proprietorship – General Contractor Limited Tier.*

553-4-.05 Licensure Requirements for an Individual to Practice as a General Contractor in the Individual's Own Name or Doing Business as an Individual in a Trade Name or as a Sole Proprietorship – General Contractor Limited Tier.

(1) An individual person seeking issuance of a Georgia license in his or her own name for purposes of engaging in the profession of general contracting at the general contracting limited tier in his or her own name or doing business as an individual in a trade name as a sole proprietorship shall file an application on a form provided by the general contractor division, accompanied by an application fee as provided by the board.

(2) Additionally, such applicants must submit to and successfully pass an examination prepared by the general contractor division unless exempted from examination pursuant to O.C.G.A. § 43-41-8.

(3) A person shall be eligible for licensure as a general contractor limited tier by the general contractor division if the person:

(a) Is at least 21 years of age;

(b) Is of a good character and is otherwise qualified as to competency, ability, and integrity, and financial responsibility; and

(c) Meets eligibility requirements according to one of the following criteria:

1. Has received a baccalaureate degree from an accredited four-year college or university in the field of engineering, architecture, construction management, building construction, or other field acceptable to the division and has at least one year of proven

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experience working as or in the employment of a general contractor or other proven experience deemed substantially similar by the division;

2. Has a combination acceptable to the division of academic credits from any accredited college-level courses and proven practical experience working as or in the employment of a general contractor, or other proven experience deemed substantially similar by the division equaling at least four years in the aggregate. For purposes of this subparagraph, all university, college, junior college, or community college-level courses shall be considered accredited college-level courses; or

3. Has a total of at least four years of proven active experience working in a construction industry related field, at least two of which shall have been as or in the employment of a general contractor, or other proven experience deemed acceptable by the division and at least one of which shall have been in or relating to administration, marketing, accounting, estimating, drafting, engineering, supervision, or project management, or functions deemed substantially similar by the division.

(d) In order to satisfactorily prove (a), (b) and (c) above, each applicant must swear on the application for licensure that the applicant satisfies each requirement and submit satisfactory proof of such when directed to do so by the application. Applicants seeking to engage in limited tier general contracting shall affirm a minimum net worth in the amount of \$25,000. ~~To satisfactorily show "financial responsibility" as mentioned in (3)(b) above, as well as minimum net worth, applicants shall provide a line of credit form in the amount not less than \$25,000.~~ Additionally, in completing the application and submitting it to the general contractor division, the applicant consents to the division performing a background check, including a criminal history, on the applicant if the division so chooses.

(4) Before being entitled to take an examination or otherwise qualify for issuance of a license, an applicant must show to the satisfaction of the general contractor division from the application and proofs furnished that the applicant is possessed of a good character and is otherwise qualified as to competency, ability, integrity, and financial responsibility. ~~Much proof of this will come as detailed in (3)(d) above.~~ Additionally, the application shall include a list of all persons, entities, and business organizations that the applicant will be affiliated with as a licensed general contractor, whether by way of employment, ownership, serving as an owner or director, partnership, or membership or by serving as a qualifying agent under this chapter. Additionally, all applicants shall provide satisfactory proof of general liability insurance in an amount not less than \$500,000 and of workers' compensation insurance as required by the laws of this state in their name. All applicants shall also provide their social security numbers. Applicants shall also provide suitable verification of tax payments in a form and manner and for the duration prescribed by the general contractor division. Such proof of verification shall be submitted by the applicant as directed by the application for licensure and any form(s) that might accompany the application. The decision of the general contractor division as to the qualifications of applicants shall be conclusive. A certificate by the insurer or other appropriate evidence of such coverages shall be maintained with the general contractor division and shall be a condition of renewal. A licensee, on his or her own behalf, must notify the general contractor division in writing within 30 days of any changes in the information required to be on file with such division, including, but not limited to, the licensee's current mailing address, insurance coverages, and affiliated entities.

(5) The general contractor division shall conduct an examination of all qualified

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applicants, except those exempted from the examination requirement pursuant to Code Section 43-41-8.

(a) The general contractor division shall conduct an examination to ascertain the particular applicant's ability to make a practical application of his or her knowledge of the profession of commercial general contracting; the applicant's qualifications in reading plans and specifications; his or her knowledge of building codes, estimating costs, construction, ethics, contracting, and other similar matters pertaining to the general contracting business; his or her knowledge as to the responsibilities of a general contractor to the public and to owners, subcontractors, and suppliers; and his or her knowledge of the requirements of the laws of this state relating to general contractors, construction, workers' compensation, insurance, surety bonding, and liens.

(b) If the results of the applicant's examination are satisfactory to the general contractor division, or he or she is exempted from the examination requirement under Code Section 43-41-8, and if he or she has met the other qualifications and requirements set forth in this Code section, then the general contractor division shall issue to the applicant a limited tier license to engage in business as a general contractor in this state, as provided in such license, in his or her own name as a sole proprietor, pursuant to and in accordance with the requirements set forth in Code Section 43-41-9.

(6) Any otherwise qualified applicant failing this examination may be reexamined at any regularly scheduled examination within one year of the date of original application upon payment of a reexamination fee, in an amount to be set by the board, without need to resubmit an application, unless any information set forth in the previously submitted application is no longer accurate or complete. Anyone requesting to take the examination a third or subsequent time shall wait at least one calendar year after the taking of the last examination and shall submit an application with the appropriate examination fees.

(7) Upon the payment of fees prescribed by the board, a limited tier general contractor license shall be issued to an applicant who successfully completes the requirements for licensure.

(8) There is established a limited tier general contractor license type that is limited as to any contract of no more than \$500,000.00.

(9) In order to move from the General Contractor Limited tier to the General Contractor tier, a contractor must submit an application for the General Contractor license and meet the financial requirements and other requirements for that license type.

(10) Any Change Orders as defined in O.C.G.A. § 36-91-2 may not exceed the maximum amount allowed per contract for a project to be completed.

A motion was made by David Cyr, seconded by David Moody, and the Board voted unanimously to post Rule 553-4-.06 *Licensure Requirements for an Individual Acting as a Qualifying Agent for a Business Organization Seeking to Engage in the Profession of General Contracting in the Name of the Business Organization – General Contractor Limited Tier.*

553-4-.06 Licensure Requirements for an Individual Acting as a Qualifying Agent for a Business Organization Seeking to Engage in the Profession of General Contracting in the Name of the Business Organization – General Contractor Limited Tier.

(1) An individual person affiliated by ownership or employment with and acting as a

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qualifying agent for a business organization seeking to engage in the profession of general contracting at the general contracting limited tier in the name of the business organization in accordance with and pursuant to Code Section 43-41-9 shall file an application on a form provided by the general contractor division, accompanied by an application fee as provided by the board.

(2) Additionally, such applicants must submit to and successfully pass an examination prepared by the general contractor division unless exempted from examination pursuant to O.C.G.A. § 43-41-8.

(3) A person shall be eligible for licensure as a general contractor limited tier by the general contractor division if the person:

(a) Is at least 21 years of age;

(b) Is of a good character and is otherwise qualified as to competency, ability, and integrity and financial responsibility; and

(c) Meets eligibility requirements according to one of the following criteria:

1. Has received a baccalaureate degree from an accredited four-year college or university in the field of engineering, architecture, construction management, building construction, or other field acceptable to the division and has at least one year of proven experience working as or in the employment of a general contractor or other proven experience deemed substantially similar by the division;
2. Has a combination acceptable to the division of academic credits from any accredited college-level courses and proven practical experience working as or in the employment of a general contractor, or other proven experience deemed substantially similar by the division equaling at least four years in the aggregate. For purposes of this subparagraph, all university, college, junior college, or community college-level courses shall be considered accredited college-level courses; or
3. Has a total of at least four years of proven active experience working in a construction industry related field, at least two of which shall have been as or in the employment of a general contractor, or other proven experience deemed acceptable by the division and at least one of which shall have been in or relating to administration, marketing, accounting, estimating, drafting, engineering, supervision, or project management, or functions deemed substantially similar by the division.

(d) In order to satisfactorily prove (a), (b) and (c) above, each applicant must swear on the application for licensure that the applicant satisfies each requirement and submit satisfactory proof of such when and where directed to do so by the application.

Applicants acting as a qualifying agent for a business organization seeking to engage in limited tier general contracting, shall affirm that the business organization possesses minimum net worth in an amount of \$25,000. ~~To satisfactorily show “financial responsibility” as mentioned in (3)(b) above, and minimum net worth, applicants shall provide a line of credit form in an amount of not less than \$25,000.~~ Additionally, in completing the application and submitting it to the general contractor division, the applicant consents to the division performing a background check, including a criminal history, on the applicant if the division so chooses.

(4) Before being entitled to take an examination or otherwise qualify for issuance of a license, an applicant must show to the satisfaction of the general contractor division from the application and proofs furnished that the applicant is possessed of a good character and is otherwise qualified as to competency, ability, integrity, and financial responsibility. ~~Much proof of this will come as detailed in (3)(d) above.~~ Additionally, the

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application shall include a list of all persons, entities, and business organizations that the applicant will be affiliated with as a licensed general contractor, whether by way of employment, ownership, serving as an owner or director, partnership, or membership or by serving as a qualifying agent under this chapter. Additionally, all applicants shall provide satisfactory proof of general liability insurance in an amount not less than \$500,000 and of workers' compensation insurance as required by the laws of this state in their name. All applicants shall also provide the federal taxpayer identification numbers of any business organization for which the applicant is seeking licensure as a qualifying agent. Applicants shall also provide suitable verification of tax payments by the business organization in a form and manner and for the duration prescribed by the general contractor division. Such proof of verification shall be submitted by the applicant as directed by the application for licensure and any form(s) that might accompany the application. The decision of the general contractor division as to the qualifications of applicants shall be conclusive. A certificate by the insurer or other appropriate evidence of such coverages shall be maintained with the general contractor division and shall be a condition of renewal. A licensee, where acting as a qualifying agent on behalf of the business organization so qualified, must notify the general contractor division in writing within 30 days of any changes in the information required to be on file with such division, including, but not limited to, the business organization's current mailing address, insurance coverages, and affiliated entities.

(5) The general contractor division shall conduct an examination of all qualified applicants, except those exempted from the examination requirement pursuant to Code Section 43-41-8.

(a) The general contractor division shall conduct an examination to ascertain the particular applicant's ability to make a practical application of his or her knowledge of the profession of commercial general contracting; the applicant's qualifications in reading plans and specifications; his or her knowledge of building codes, estimating costs, construction, ethics, contracting, and other similar matters pertaining to the general contracting business; his or her knowledge as to the responsibilities of a general contractor to the public and to owners, subcontractors, and suppliers; and his or her knowledge of the requirements of the laws of this state relating to general contractors, construction, workers' compensation, insurance, surety bonding, and liens.

(b) If the results of the applicant's examination are satisfactory to the general contractor division, or he or she is exempted from the examination requirement under Code Section 43-41-8, and if he or she and any affiliated business organization has met the other qualifications and requirements set forth in this Code section, then the general contractor division shall issue to the applicant a limited tier license to engage in business as a general contractor in this state, as provided in such license, in his or her own name as a qualifying agent for the affiliated business organization and in the name of such business organization, pursuant to and in accordance with the requirements set forth in Code Section 43-41-9.

(6) Any otherwise qualified applicant failing this examination may be reexamined at any regularly scheduled examination within one year of the date of original application upon payment of a reexamination fee, in an amount to be set by the board, without need to resubmit an application, unless any information set forth in the previously submitted application is no longer accurate or complete. Anyone requesting to take the examination a third or subsequent time shall wait at least one calendar year after the taking of the last

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examination and shall submit an application with the appropriate examination fees.

(7) Upon the payment of fees prescribed by the board, a limited tier general contractor license shall be issued to an applicant who successfully completes the requirements for licensure.

(8) ) There is established a limited tier general contractor license type that is limited as to any contract of no more than \$500,000.00.

(9) In order to move from the General Contractor Limited tier to the General Contractor tier, a contractor must submit an application for the General Contractor license and meet the financial requirements and other requirements for that license type.

(10) Any Change Orders as defined in O.C.G.A. § 36-91-2 may not exceed the maximum amount allowed per contract for a project to be completed.

Roger Huggins motioned, David Moody seconded and the Board voted that the formulation and adoption of these rules do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General's office.

Roger Huggins motioned, David Cyr seconded and the Board also voted that it is not legal or feasible to meet the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Residential and General Contractors.

**Other Business:**

Ms. Tanja Battle informed the Board of an indictment for unlicensed practice in Milledgeville, GA.

With no other business for the Board to discuss, the meeting was adjourned at 4:09 p.m.

**Minutes recorded by:**

**Eva Holmes, Administrative Assistant**

**Minutes Edited/Reviewed by:**

**Tanja D. Battle, Executive Director**