

**STATE LICENSING BOARD FOR
RESIDENTIAL AND GENERAL CONTRACTORS
Conference Call
June 2, 2010**

A meeting of the State Licensing Board for Residential and General Contractors was held via conference call on Wednesday, June 2, 2010, at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:

Bob Barnard, Board Chairperson
David Cyr, Board Vice-Chairperson
Timothy Ansley
Steve Cash
Andy Cooper
Gene Dunwody
Keely Fennell
Mark Herbert
Roger Huggins
Aaron McWhorter
David Moody
Allen Richardson
Edward Strain
Morgan Wheeler

Others present:

Tanja Battle, Executive Director
Brandi Howell, Board Support Specialist
Scarlett Shell, Assistant Attorney General
Deron Hicks, Home Builders Association of Georgia (HBAG)

Rule Hearing

Chairperson Barnard called the public hearing to order at 9:06 a.m. on the following proposed rules:

- Rule 553-4-.01 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
- Rule 553-4-.02 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
- 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. Amended.
- 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. Amended.

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Chairperson Barnard called for public comments, written and oral, on the proposed rules. It was noted that no comments, either written or oral, had been received from the public.

The hearing was concluded and the Board meeting was called to order at 9:10 a.m.

Chairperson Barnard asked for a motion from the Board regarding adoption of the following rules:

- Rule 553-4-.01 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
- Rule 553-4-.02 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
- 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. Amended.
- 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. Amended.

Morgan Wheeler made the motion, Roger Huggins seconded, and the Board voted unanimously to adopt the rules.

Approval of Minutes

Chairperson Barnard called for any changes to the minutes of the May 5, 2010 full Board Meeting.

A motion was made by Mark Herbert, seconded by Allen Richardson, and the Board voted unanimously to approve the minutes of the May 5, 2010 full Board Meeting as presented.

Executive Director's Report

Ms. Battle reported that 50% of the contractors have renewed as of this date. The Board office will send another reminder prior to the expiration date.

Old/New Business

Election of Board Chairman and Vice Chairman: Chairperson Barnard stated that it was time to elect a new Chairman and Vice Chairman of the Board.

A motion was made by Roger Huggins, seconded by David Moody, and the Board voted unanimously to elect David Cyr as Chairman of the full Board.

A motion was made by Roger Huggins, seconded by David Moody, and the Board voted unanimously to elect Mark Herbert as Vice Chairman of the full Board.

The Chairman and Vice Chairman of the full Board will serve a one (1) year term.

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Renewals: The issue of licensees that have renewed and have a recent bankruptcy was discussed by Ms. Shell. A motion was made by Morgan Wheeler, seconded by Timothy Ansley, and the Board voted unanimously to proceed with the renewals and direct staff to send a letter to the licensee which states that although his/her license has been renewed, this does not waive the Board's right to take disciplinary action regarding the information provided with the renewal application.

Proposed Rule 553-12-.06 Revocation for Failure to Renew and Reinstatement: A motion was made by Mark Herbert, seconded by Allen Richardson, and the Board voted unanimously to post Rule 553-12-.06 Revocation for Failure to Renew and Reinstatement.

553-12-.06 Revocation for Failure to Renew and Reinstatement.

- (1) Failure to renew a license within the six months late renewal period ending December 31 of the renewal year shall have the same effect as revocation of the license.
- (2) Neither the failure of the board to send nor the failure of the licensee to receive a renewal form shall excuse the failure to renew the license.
- (3) Persons not renewing within the 6 months late period may apply for reinstatement of the license by submitting a reinstatement application with a reinstatement fee established by the Board. Applications for reinstatement must include, but is not limited to the following:
 - (a) a reinstatement fee established by the Board.
 - (b) evidence of the completion, since the last renewal, of the total continuing education hours which would have been required if the license had been maintained in a current status.
 - (c) any findings or pleas of guilty or pleas under nolo contendere or under the "First Offender Act" for the commission of any felony or misdemeanor, other than minor traffic violations, made after approval of the previous renewal application or licensure application;
 - (d) authorization for division to receive any criminal history record information pertaining to the applicant which may be in the files of any state or local criminal justice agency;
 - (e) proof of current general liability insurance and worker's compensation as required by law for the license type that is to be instated;
 - (f) proof of financial responsibility as required for the license type that is to be reinstated as defined in Chapter 553-3 or Chapter 553-4;
- (4) The reinstatement of any license shall be at the sole discretion of the appropriate division and such division may deny the license or approve such license with any conditions it may deem necessary, including but not limited to the retaking of the licensure examination.
- (5) If the reinstatement application is submitted more than 5 years after the expiration date of the license, the applicant shall submit the required fee and meet all current qualifications for an applicant for a new license, including reexamination, in addition to any other conditions required by the appropriate division.

Written Requests/Correspondences

Richard Gilpin, Jr., Construction Project Specialists, Inc.: The Board reviewed correspondence from Mr. Gilpin requesting that the Board grant, by rule or exception, the right of a construction management firm or individual to conduct business as a professional agent to an owner without being licensed as a residential or general contractor. A motion was made by Timothy Ansley,

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seconded by Roger Huggins, and the Board voted unanimously to deny Mr. Gilpin's request. The Board recommended having staff respond by stating that a license is required to perform these services.

Board Orders

A motion was made by Allen Richardson, seconded by Mark Herbert, and the Board voted unanimously to ratify the acceptance of the following:

Voluntary Cease and Desist Orders-

Kevin Johnson dba Johnson Services (Hamilton)
David Florin Olaru and D&A Remodeling, Inc. (Lawrenceville)

Final Decisions-

Richard A. Dudley, RBI003144 (Richmond Hill)
Robert Leonard Foster, GCLT-QA000039 and Foster Construction, Inc., GCLT-CO000039 (Chattanooga, TN)

The members of the General Contractor Division were dismissed from the Conference Call.

Business was resumed with members of the Residential Division.

Executive Session

A motion was made by Mark Herbert, seconded by Steve Cash, and the Residential Division members present: Bob Barnard, Steve Cash, Andy Cooper, Keely Fennell, Mark Herbert, Allen Richardson and Edward Strain voted unanimously to enter into Executive Session in accordance with O.C.G.A. 43-1-2(k) and 43-1-19(h) to receive the Cognizants' Reports, discuss investigative matters and for application discussion.

Vote on Discussions from Executive Session

Open Session was declared by the Residential Division.

A motion was made by Allen Richardson, seconded by Keely Fennell, and the Residential Division voted unanimously to accept the recommendations made by the Board in Executive Session.

The recommendations made during Executive Session are as follows:

The Division voted unanimously to close the case on the following licensee:

A.C.W. (Basic Qualifying Agent)

The Division voted unanimously to close the following case with no action:

RG100237

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The Division heard a report on the following cases:

- RGC39564: The Division voted unanimously to refer to the Attorney General's office.
- RGC100079: The Division voted unanimously to have the Cognizant review the previous case on this respondent and compare the allegations and facts to the subsequent case.

The Division voted unanimously to accept the recommendations regarding the following cases:

- RGC37830: Close with a Voluntary Cease & Desist Order
- RGC39022: Close with a Voluntary Cease & Desist Order
- RGC090044: Close with a Voluntary Cease & Desist Order
- RGC100043: Close with no action
- RGC100149: Close with a Voluntary Cease & Desist Order
- RGC100195: Close with no action
- RGC100222: Close with a Voluntary Cease & Desist Order
- RGC100255: Close with no action
- RGC100260: Close with no action
- RGC100283: Close with no action

The Division voted unanimously to accept the Cognizants' recommendations regarding the following complaints:

- RGC100215: Request response from the Respondent
- RGC100293: Request response from the Respondent
- RGC100296: Close with no action
- RGC100298: Request additional information from the Complainant
- RGC100297: Request response from the Complainant and the Respondent
- RGC100299: Request response from the Complainant
- RGC100301: Close with no action
- RGC100300: Request response from the Respondent
- RGC100304: Close with no action
- RGC100308: Close with no action
- RGC100310: Request response from the Respondent
- RGC100311: Close with no action

The Division voted unanimously to request that the Investigations Unit conduct an Accurant search for a valid address regarding the following case and forward the information to the Attorney General's office:

RGC37626

The Division voted unanimously to refer the following to Investigations for a Cease and Desist Order and direct board staff to send a letter to the city and county officials reminding them of the homeowner exemption in O.C.G.A. § 43-41-17(h):

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C.F.
H.M.

The Division voted unanimously to table the following until further information has been received:

Applicant #1175405

The Division voted unanimously to approve the following for further review:

Applicant #1228291

The Division voted unanimously to deny licensure by prior approval of the following:

Lancaster Jr., Clarence Eugene (Basic Qualifying Agent for Lancaster Construction, Inc.)

The Division voted unanimously to suspend the license of the following for a period of one year and issue a consent order at the end of the one year period that would put the license on probation to run concurrent with his criminal probation:

P.W.C. (Basic Qualifying Agent)

The Division voted unanimously to approve the following for renewal:

William Mark Goss (Basic Qualifying Agent for M G Home Builders)

The Division voted unanimously to refer the following licensee, who recently renewed, to the Attorney General's office for a consent order that would put the license on probation until the licensee's taxes are paid:

B.T.G. (Basic Qualifying Agent)

The Division voted unanimously to deny a request for release of confidential information submitted by Morgan Colbey, regarding M.H.

The Division voted unanimously to deny a request for release of confidential information submitted by Justin D. Studstill, regarding R.Y.D.

The Division voted unanimously to deny a request for release of confidential information submitted by Mina A. Elmankabady, regarding M.H.H.

The Division voted unanimously to approve the following applicant's request for an extension of time to take his initial examination based on the circumstances documented in his letter:

Applicant #1148801

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The Division voted unanimously to deny the following applicant's request to be considered for licensure without having to submit a new examination application or pay the \$200 application fee.

Epps, Joseph E.

The Division voted unanimously to deny the following applicant's request for an extension of time to take his initial examination:

Applicant #1187930

The Division voted unanimously to ratify the following for licensure (these applicants have been previously reviewed and approved administratively or by Division members):

License #	Company/Applicant Name	License Type
RBCO004825	Building Assets LLC	Residential Basic Company
RBCO004826	Excel Construction LLC	Residential Basic Company
RBCO004827	Mayfield Signature Homes LLC	Residential Basic Company
RBCO004828	Forgotten Pines Inc	Residential Basic Company
RBCO004829	Kelley & Grogan Builders Inc	Residential Basic Company
RBCO004830	Bill Mann Inc	Residential Basic Company
RBCO004831	The Hoots Group Incorporated	Residential Basic Company
RBCO004832	Castle Painting & Remodeling LLC	Residential Basic Company
RBCO004833	SR Companies LLC	Residential Basic Company
RBCO004834	Berkeley Woodworking Inc	Residential Basic Company
RBCO004835	Tri-County Contractors Inc	Residential Basic Company
RBCO004836	Atherton Residential LLC	Residential Basic Company
RBCO004837	Carbon Copy Construction Inc	Residential Basic Company
RBCO004838	Lennar Georgia Inc	Residential Basic Company
RBCO004839	Nason Homes LLC	Residential Basic Company
RBCO004840	Orchestrated Build LLC	Residential Basic Company
RBCO004841	Mainline Construction Inc	Residential Basic Company
RBCO004842	1FirePro Inc	Residential Basic Company
RBCO004843	R S J Homes Inc	Residential Basic Company
RBCO004844	East Atlanta Builders LLC	Residential Basic Company
RBCO004845	Southern Gallery Homes Inc	Residential Basic Company
RBCO004846	GBH LLC	Residential Basic Company
RBCO004847	Premier Custom Home Designs LLC	Residential Basic Company
RBI003496	Whitmer, Jeremiah Robert	Residential Basic Individual
RBI003497	Mendez, Franz	Residential Basic Individual
RBI003498	Leach, James David	Residential Basic Individual
RBI003499	Crowley, Anthony Quinn	Residential Basic Individual
RBI003500	Sorrell, Bryan Dexter	Residential Basic Individual
RBI003501	Gillis, Mike	Residential Basic Individual
RBI003502	McBride, Walter Curtis	Residential Basic Individual
RBQA004848	McCammon, Mark Wayne	Residential Basic Qualifying Agent
RBQA004849	Cohen, Jacob	Residential Basic Qualifying Agent

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RBQA004850	Nama, Carter Timothy	Residential Basic Qualifying Agent
RBQA004851	Fuller, Matthew S	Residential Basic Qualifying Agent
RBQA004852	Kelley, Dwight Charles	Residential Basic Qualifying Agent
RBQA004853	Mann, William Ellis, Jr	Residential Basic Qualifying Agent
RBQA004854	Quinn, Jerome D	Residential Basic Qualifying Agent
RBQA004855	Alford, Sean Patrick	Residential Basic Qualifying Agent
RBQA004856	Tetterton, Alex G	Residential Basic Qualifying Agent
RBQA004857	Webb, Maria Carmen	Residential Basic Qualifying Agent
RBQA004858	Mehalko, Raymond John, Jr	Residential Basic Qualifying Agent
RBQA004859	Schretter, Timothy James	Residential Basic Qualifying Agent
RBQA004860	Schonfeld, Leonard Abraham, II	Residential Basic Qualifying Agent
RBQA004861	Harris, Chris Allen	Residential Basic Qualifying Agent
RBQA004862	Beattie, Stuart Goff	Residential Basic Qualifying Agent
RBQA004863	Bartholomew, Tanya Lynne Cekovich	Residential Basic Qualifying Agent
RBQA004864	McCullers, Mark Alan	Residential Basic Qualifying Agent
RBQA004865	Jacobs, Richard S	Residential Basic Qualifying Agent
RBQA004866	Livnat, Eyal	Residential Basic Qualifying Agent
RBQA004867	Pritts, Arthur Lee	Residential Basic Qualifying Agent
RBQA004868	Ricker, Loda George	Residential Basic Qualifying Agent
RBQA004869	Traub, Stephen Leffler, Jr	Residential Basic Qualifying Agent
RLCI001459	Robertson, Brandon Richard	Residential Light Commercial Individual
RLCO002923	Moranna Construction Inc	Residential Light Company
RLCO002924	Moranna Construction Inc	Residential Light Company
RLCO002925	J D Salyer Enterprises Inc	Residential Light Company
RLCO002926	Orion Custom Homes	Residential Light Company
RLCO002927	Radius Construction Group Inc	Residential Light Company
RLCO002928	Culver Custom Building LLC	Residential Light Company
RLCO002929	Orion Restoration LLC	Residential Light Company
RLCO002930	C B & R Construction LLC	Residential Light Company
RLCO002931	R L Quality Contracting Inc	Residential Light Company
RLCO002932	Dimension One Inc	Residential Light Company
RLCO002933	R J Stewart Inc	Residential Light Company
RLCO002934	Moore Development & Construction Inc	Residential Light Company
RLCO002935	Spring Street Interiors Inc	Residential Light Company
RLCO002936	AR Services LLC	Residential Light Company
	Patterson & Sons Inc dba Patterson	
RLCO002937	Builders	Residential Light Company
RLQA002954	Lichty, Daniel Marc	Residential Light Qualifying Agent
RLQA002955	Lichty, Galen Keith	Residential Light Qualifying Agent
RLQA002956	Salyer, James Dudley, Jr	Residential Light Qualifying Agent
RLQA002957	Cash, Jason Hunter	Residential Light Qualifying Agent
RLQA002958	Koushel, Kevin Michael	Residential Light Qualifying Agent
RLQA002959	Culver, Donald Milton	Residential Light Qualifying Agent
RLQA002960	Cash, Jason Hunter	Residential Light Qualifying Agent
RLQA002961	Gabrielson, Jeremy Michael	Residential Light Qualifying Agent
RLQA002962	Simpson, Judy Ann Makowski	Residential Light Qualifying Agent

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RLQA002963	Cauble, Geoffrey Thomas	Residential Light Qualifying Agent
RLQA002964	Stewart, Ronald John	Residential Light Qualifying Agent
RLQA002965	Moore, Donald Craig	Residential Light Qualifying Agent
RLQA002966	Troesken, Thomas Joseph	Residential Light Qualifying Agent
RLQA002967	Reibly, Andrew Edward	Residential Light Qualifying Agent
RLQA002968	Patterson, Jamey Clinton	Residential Light Qualifying Agent

The Division voted unanimously to ratify the nullification of the following licenses:

License #	Company/Applicant Date	License Type
RBCO000774	Northridge Homes LLC	Residential Basic Company
RBCO000825	Centex Homes	Residential Basic Company
RBCO001358	Buy Rite Group Inc	Residential Basic Company
RBCO001619	Centex Homes	Residential Basic Company
RBCO001798	Church Road Partners LLC	Residential Basic Company
RBCO002084	Bowen & Bowen Construction Co Inc	Residential Basic Company
RBCO002151	White Cap Corporation	Residential Basic Company
RBCO003170	LPI/Apalachee Inc	Residential Basic Company
RBCO003413	Centex Homes	Residential Basic Company
RBCO003414	Centex Homes	Residential Basic Company
RBCO003660	Sawhorse Inc	Residential Basic Company
RBCO004350	Ashton Atlanta Residential LLC	Residential Basic Company
RBCO004553	Pulte Home Corporation	Residential Basic Company
RBQA000398	Ray, Robert Charles, III	Residential Basic Qualifying Agent
RBQA000743	White, Weltie Michael	Residential Basic Qualifying Agent
RBQA001069	Young, Victor John	Residential Basic Qualifying Agent
RBQA001214	Allen, Jason Zachery	Residential Basic Qualifying Agent
RBQA001436	Wilcher, George A	Residential Basic Qualifying Agent
RBQA001847	Warrington, Donald Loyd	Residential Basic Qualifying Agent
RBQA002184	Brown, James Kelley	Residential Basic Qualifying Agent
RBQA002375	Dasantos, Deryl Aubry	Residential Basic Qualifying Agent
RBQA002912	Livnat, Eyal	Residential Basic Qualifying Agent
RBQA003288	Quinn, Jerome D	Residential Basic Qualifying Agent
RBQA003549	Puckett, Michael David	Residential Basic Qualifying Agent
RBQA003779	Brown, Seth Alexander	Residential Basic Qualifying Agent
RBQA003780	Burnette, Michael Eugene	Residential Basic Qualifying Agent
RBQA004385	Harris, Chris Allen	Residential Basic Qualifying Agent
RBQA004581	Rose, Damon A	Residential Basic Qualifying Agent

The Division voted unanimously to ratify the following licenses that were placed on Inactive Status:

License #	Company/Applicant Name	License Type
RBCO001155	Ricky Spano Builder-Remodeler Inc	Residential Basic Company
RBCO001270	Pritts Builders LLC	Residential Basic Company
RBCO001386	Donny Clark Inc	Residential Basic Company
RBCO001697	FRF Investments, Inc.	Residential Basic Company
RBCO001755	Carson-Hall, Inc.	Residential Basic Company

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RBCO002042	Boren Builders, Inc	Residential Basic Company
RBCO002229	Crestmont Homes Inc	Residential Basic Company
RBCO002503	Bruce Taylor Inc	Residential Basic Company
RBCO002738	Lavoie Contracting Inc	Residential Basic Company
RBCO002740	Lawson Construction Inc	Residential Basic Company
RBCO002832	Lloyd Dunlap Builder, Inc. T & S Group/ DBA Southern Builders	Residential Basic Company
RBCO003080	LLC	Residential Basic Company
RBI000292	Crane, Mark William	Residential Basic Individual
RBI000447	Manus, Michael T	Residential Basic Individual
RBI000794	York, Curtis Larry	Residential Basic Individual
RBI001278	Smith, Willie Earl, Sr	Residential Basic Individual
RBI001479	Sims, Jonathan Craig	Residential Basic Individual
RBI001715	Brown, Marty Alan	Residential Basic Individual
RBI001763	Lingerfelt, David Danny	Residential Basic Individual
RBI001989	Akins, Terrell Hugh	Residential Basic Individual
RBI002053	Kennedy, John Carroll	Residential Basic Individual
RBI002257	Tillery, Phillip Todd	Residential Basic Individual
RBQA000041	Spano, Frederick A	Residential Basic Qualifying Agent
RBQA000146	Taylor, Bruce Douglas	Residential Basic Qualifying Agent
RBQA000495	Clark, Donny	Residential Basic Qualifying Agent
RBQA000553	Thrasher, James Darin	Residential Basic Qualifying Agent
RBQA000841	Pritts, Arthur Lee	Residential Basic Qualifying Agent
RBQA000870	Ponder, Edward Dennis	Residential Basic Qualifying Agent
RBQA001397	Dunlap, James Lloyd	Residential Basic Qualifying Agent
RBQA001572	Carson, John F	Residential Basic Qualifying Agent
RBQA001786	Boren, James Edward	Residential Basic Qualifying Agent
RBQA002813	Lavoie, Peter Joseph	Residential Basic Qualifying Agent
RBQA002822	Lawson, Javy Brent	Residential Basic Qualifying Agent
RBQA003484	Chiofalo, Anthony Marion	Residential Basic Qualifying Agent
RLCI000180	Pence, Darren Matthew	Residential Light Commercial Individual
RLCI000942	Griffis, Chris Jerome	Residential Light Commercial Individual
RLCI001060	Williamson, James Kirby	Residential Light Commercial Individual
RLCO000279	Lee Contractors, Inc.	Residential Light Company
RLCO000719	Keystone Lake Homes, LLC	Residential Light Company
RLCO001838	Freeland Properties LLC	Residential Light Company
RLCO002177	Circa Properties Inc.	Residential Light Company
RLCO002356	Heartwood Builders Inc	Residential Light Company
RLQA000177	Sanderson, Cathy P	Residential Light Qualifying Agent
RLQA000821	Clark, Ricky David	Residential Light Qualifying Agent
RLQA001621	Diamond, Robert Lemuel	Residential Light Qualifying Agent
RLQA001759	Lee, William Henry	Residential Light Qualifying Agent
RLQA002050	Freeland, John Christopher	Residential Light Qualifying Agent

The Division voted unanimously to ratify the following administratively approved for licensure by prior approval and refer the applicant to the Attorney General's office for a consent order that would

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put the applicant's license, once issued, on probation for the duration of the bankruptcy, plus an additional 24 months from the date the bankruptcy is discharged:

Applicant #1234474

Other Business

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

553- 12-.02 Continuing Education-Residential.

(1) Residential contractors by virtue of their training, education and/or 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 Residential Division 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) An applicant for renewal of his residential license must have completed 3 hours of acceptable continuing education each year for a Residential Basic license and 6 hours of continuing education each year for a Residential Light Commercial license.

(b) 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 Residential Division, upon request or random audit, official documentation of having completed three (3) hours of continuing education during each year for a Residential Basic license and six (6) hours of continuing education during each year 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.

(c) 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 also result in disciplinary action being taken against a licensee.

(d) The Residential Division may relax or suspend the requirements of continuing education for reasons of individual hardship or health of the applicant

In the same motion, the Division voted unanimously to repost Rule 553-12-.03 Programs Which Qualify.

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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 Residential Division.

(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;

(e) Workers compensation;

(f) Building techniques and technology.

(3) Subjects of study other than those listed above will be acceptable if the applicant or program provider can demonstrate to the Residential Division 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 Residential Division. 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 Residential Division must approve the application before the provider may offer the class for continuing education credit.

(4) Continuing education hours may be obtained via classroom courses and/or online or correspondence courses. Online and correspondence courses may not exceed 50% of the continuing education hours required.

(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;

4. A record of registration and attendance through the entire program is maintained, a copy of which is retained by the student and program provider.

5. The program provider will provide the Residential Division with an electronic roster of license holders who have completed any course and the number of hours completed.

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(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.

With no other business for the Board to discuss, the meeting was adjourned at 11:10 a.m.

Minutes recorded by:

Brandi Howell, Board Support Specialist

Minutes Edited/Reviewed by:

Tanja D. Battle, Executive Director