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### Blueprints Is Back!

Blueprints, the quarterly newsletter of the Board for Contractors, is back after a decade-long absence. Available online only, this quarterly newsletter will contain information about the board, including disciplinary actions, regulatory issues and other



# BLUEPRINTS

## Governor Appoints Six New Board Members

Governor Bob McDonnell has appointed six new members to the Board for Contractors. Board members are appointed by the governor to four-year terms and are limited to serving two consecutive terms. The different construction disciplines represented on the board are outlined in the law and include contractors, tradesmen, a building official, a material supplier, and two citizen members.

Newly appointed to the Board this past July are:

- ◆ Michael Gelardi  
Plumber  
Virginia Beach

- ◆ David Geisen  
Subcontractor  
Virginia Beach
- ◆ Rudy Middleton  
Electrical Contractor  
Newport News
- ◆ Doug Murrow  
Building Official  
James City County
- ◆ Chick Pace  
Utility Contractor  
Roanoke
- ◆ Chancey Walker  
HVAC Contractor  
Virginia Beach

Board members Gelardi, Middleton, Murrow, and Walker will also be serving on the Board for Contractors Committee.

The committee is responsible for reviewing education provider applications, developing new applications, considering policy, and other tasks as assigned.

The board is awaiting appointment of a new member, a Certified Water Well System Provider, which will increase the size of the board to 15 members.

The board meets approximately every eight weeks, with the committee meeting quarterly. Board meetings are held at the Department of Professional and Occupational Regulation (DPOR) and are open to the public.

## Adoption Of New Policies Highlights October Board Meeting

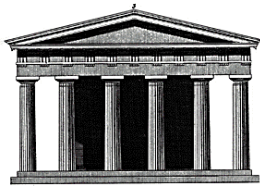
The Board for Contractors met at DPOR on Tuesday, October 19, with an agenda of more than 100 cases and a number of recommendations from the Board for Contractors Committee.

The case breakdown included 62 disciplinary cases, 22 licensing cases and 17 Transaction Recovery Fund cases. Seventeen licenses were revoked, one license

was suspended, and the board levied nearly \$94,000 in fines. Additionally, 42 contractors were assigned remedial education. A more detailed list of the board's disciplinary actions can be found on page 3.

On the licensing side, four applications for licensure were denied with seven applicants receiving conditional licenses.

The Recovery Fund docket resulted in the approval of 11 claims with a payout of \$180,255 from the Fund, for consumers harmed by improper or dishonest conduct. Upon payment from the Recovery Fund a contractor's license is revoked, separate from any disciplinary action that may also be taken.



The Board for Contractors currently has six pending regulatory packages under various stages of review.

### Contact Information

**Licensing -**  
(804) 367-8511

**Board Administration-**  
(804) 367-2785

**Education-**  
(804) 367-2224

**To File a Complaint-**  
(804) 367-8504

**FAX-**  
(866) 430-1033

**Email-**  
contractor@dpor.virginia.gov



Since January 2003, the Board for Contractors has approved \$10,745,633 in claims from the Recovery Fund.

## New Policies from October Board Meeting (continued)

In addition to the substantial caseload, the board approved five policies, four new and one reaffirmed. Policies adopted at the October meeting include:

- 1) Contractors holding the BLD classification may perform foundation work.
- 2) Contractors holding the H/H classification may repair or replace water supply lines to a structure.
- 3) Tradesmen examination candidates who have already

successfully completed the regulatory portion of the test are not required to retake it when upgrading a license.

- 4) Only contractors holding the WWP specialty are permitted to perform work inside a water well, including work on submersible pumps.
- 5) The Licensing & Education Administrator is authorized to approve instructor applications for those education providers that have previously been

approved by the board and are only reporting a change in instructor.

The board reviews its policies annually to determine whether each one is necessary, needs to be amended, or should remain in place. Many of the policies adopted by the board will eventually become part of the regulations.

If you would like a copy of the board's policies, please contact the board's administration office at (804) 367-2785.

## Regulatory Review

The Board for Contractors currently has six regulatory actions under review, in accordance with applicable regulatory procedures. The development, amendment and implementation of regulations is a multi-step process that is open to public review.

The board's current actions

include clarifications of definitions, additions of new programs, and the implementation of an inactive license for tradesmen.

Regulatory actions taken by the Board for Contractors, and most other regulatory boards, are adopted in open meetings and can

be monitored on the Virginia Town Hall website. On the site you can check on the progress of regulatory actions, read meeting minutes and, during public comment periods, submit your comments electronically.

Check out the Town Hall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov).

## Avoiding Trouble - The Big Three

Over the past eight years the Board for Contractors has heard 4218 disciplinary cases, resulting in \$8.6 million in fines and 2654 contractors sent to remedial education. The vast majority of the violations found by the Board could have been avoided.

Of the 34 prohibited acts found in the regulations, three particular violations of those acts account

for nearly 30% of the disciplinary action taken against licensed contractors.

- (1) Failure to include the minimum provisions (found in the regulations) in a residential contract,
- (2) failure to use a change order, and
- (3) working outside the class limitation or specialty definitions of a license, are the "big three."

In upcoming issues of *Blueprints* we will review the prohibited acts and answer some of the most frequently asked questions. If you have any questions regarding the regulations or any of the requirements of the Board for Contractors, please contact us by using the information in the box to the left of this article.

It's not hard to avoid trouble.



## DISCIPLINARY ACTIONS



The Board for Contractors licenses or certifies contractors, tradesmen, backflow prevention device workers, water well system providers, elevator mechanics, and accessibility mechanics. If a complaint is filed against a licensee who is subject to the laws and regulations of the board, the complaint is reviewed by DPOR's Compliance and Investigations Division to determine if a violation of these laws or regulations may have occurred. If there is probable cause of a violation, an investigation is initiated. If the investigation reveals that one or more violations may have occurred, the licensee or certificate holder receives notice to appear at an informal fact-finding (IFF) conference to address these alleged violations.

In certain cases, the licensee or certificate holder is offered an opportunity to participate in Alternative Dispute Resolution (ADR), which may result in voluntary settlement terms with the complainant to avoid disciplinary action by the board. In some cases, the licensee or certificate holder may be offered a pre-IFF Consent Order, an agreement with the board consisting of specific violations and sanctions. ADR and pre-IFF Consent Orders eliminate the time and expense associated with conducting an IFF.

If an IFF is held, a recommendation from the IFF hearing officer, consisting of proposed violations and sanctions, is submitted to the board for consideration at its next meeting. The board can take the following disciplinary actions against a licensee or certificate holder: assess a monetary penalty; suspend or revoke a license; place the licensee or certificate holder on probation; require additional education; require the Designated Employee to retake the examination; or deny renewal. A licensee or certificate holder can continue to practice throughout the disciplinary process until the board either revokes or suspends the license or certificate.

**THE FOLLOWING DISCIPLINARY ACTIONS RENDERED BY THE BOARD AT ITS OCTOBER 2010 MEETING CAN BE VIEWED AT: [www.dpor.virginia.gov](http://www.dpor.virginia.gov). Click on "License Lookup," then click on "Search Disciplinary Actions Occurring since April 1, 2002." Then enter the case number in the blank "Search" box and click on the "Search" button. When the file number appears, click it and the Order and Report of Findings for that case will appear.**

<u>Case Number</u>	<u>License/Certificate Holder</u>	<u>Violations &amp; Sanctions</u>
2011-08889	Danny Edwards Elizabeth City, NC	18 VAC 50-30-190: Conviction - Violation, no sanction; Failure to Report Conviction - \$200 Monetary Penalty
2009-04017	Hermitage Custom Homes Annandale, VA	§ 54.1-1110: Substantial Identity of Interest - Revocation 18 VAC 50-22-230: Fail to Report Change of Address - \$500 Monetary Penalty
2010-01819	Harber's Construction, Inc. Jonesville, VA	18 VAC 50-22-260: Misconduct - \$1200 Monetary Penalty and Remedial Education; Using an Unlicensed Sub-Contractor - \$1000 Monetary Penalty and Remedial Education
2010-02072	Michael Jawish t/a Tilecrafters Fairfax, VA	18 VAC 50-22-260: Failure to Use Contract - \$350 Monetary Penalty and Remedial Education; Working Outside Specialty/Class - \$1000 Monetary Penalty and Remedial Education
2010-05264	Empty Pools, LLC Virginia Beach, VA	18 VAC 50-22-260: Failure to Respond to an Investigator - \$2500 Monetary Penalty and Revocation of License
2009-03237	Harber's Construction, Inc. Jonesville, VA	18 VAC 50-22-260: Misconduct - \$1000 Monetary Penalty and Revocation of License; Failure to Complete Work - \$1700 Monetary Penalty and Revocation of License



## DISCIPLINARY ACTIONS (Cont.)



<u>Case Number</u>	<u>Licensee</u>	<u>Violations &amp; Sanctions</u>
2010-02225	Robert Wilkerson t/a Wilkerson Excavation Farmville, VA	18 VAC 50-22-260: Misconduct - \$1500 Monetary Penalty and Remedial Education; Working Outside Specialty/Class - \$2500 Monetary Penalty and Remedial Education
2010-00436	James Simpson III t/a Shoreline Construction & Design Portsmouth, VA	18 VAC 50-22-260: Missing Contract Elements - \$600 Monetary Penalty; Misconduct - \$800 Monetary Penalty and License Revocation; Failure to Use Change Orders - \$400 Monetary Penalty and License Revocation; Failure to Satisfy a Judgment - \$1900 Monetary Penalty and License Revocation
2010-01542	Ted Roberts t/a Ted Roberts Builder Forest, VA	18 VAC 50-22-260: Failure to Satisfy a Judgment - Violation With No Sanction
2010-02638	Ashlee Kersey t/a All Exteriors Chesterfield, VA	18 VAC 50-22-260: Inaccurate Application Information - \$650 Monetary Penalty and Remedial Education; Working Outside Specialty/Class - \$650 Monetary Penalty and Revocation of License
2010-01533	Thomas Shores t/a David Shores Heating and Air Ruther Glen, VA	18 VAC 50-22-260: Failure to Use Contract - \$350 Monetary Penalty and Revocation of License; Working Outside Specialty/Class - \$650 Monetary Penalty and Revocation of License; Misconduct - \$800 Monetary Penalty and Revocation of License
2010-01973	Phillip Starkey t/a Performance Concrete & Repair Sandston, VA	18 VAC 50-22-260: Failure to Satisfy Judgment - \$1900 Monetary Penalty and Revocation of License 18 VAC 50-22-230: Failure to Report Change of Address - \$850 Monetary Penalty
2010-02386	Christopher Atkins t/a ADCO Construction Chesapeake, VA	18 VAC 50-22-260: Failure to Satisfy Judgment - \$1900 Monetary Penalty and Revocation of License
2010-02464	Scott Barry t/a SSB Painting and Design Radford, VA	18 VAC 50-22-260: Failure to Use Contract - Remedial Education; Working Outside Specialty/Class (2 Counts) - \$700 Monetary Penalty and Remedial Education; Misconduct - \$500 Monetary Penalty and Remedial Education
2010-02940	Daly Business Services LLC t/a Alley's Tree Removal Virginia Beach, VA	§ 54.1-1110: Substantial Identity of Interest - Violation With No Sanction; 18 VAC 50-22-260: Failure to Respond to An Investigator - \$250 Monetary Penalty
2010-02157	Benjamin & Angela Turner t/a B&A Construction and Roofing Portsmouth, VA	18 VAC 50-22-230: Failure to Operate In Name On License - \$350 Monetary Penalty and Remedial Education 18 VAC 50-22-260: Missing Contract Elements - \$300 Monetary Penalty and Remedial Education; Working Outside Specialty/Class (2 counts) - \$1300 Monetary Penalty and Remedial Education; Failure to Complete Work (2 counts) - \$3400 Monetary Penalty and Revocation of License; Misrepresentation - \$1500 Monetary Penalty and Revocation of License; Retention or Misapplication of Funds - \$1950 Monetary Penalty and Revocation of License
2010-03147	Joseph Delise Sr. t/a Delise Painting & Tile Midlothian, VA	18 VAC 50-22-260: Inaccurate Application Information - Remedial Education



## DISCIPLINARY ACTIONS (Cont.)



<u>Case Number</u>	<u>Licensee</u>	<u>Violations &amp; Sanctions</u>
2010-04229	Cardinal Construction Services, Inc. Reston, VA	§ 54.1-1110: Substantial Identity of Interest - Revocation of License
2009-04087	King's Construction, Inc. Richmond, VA	18 VAC 50-22-260: Misconduct - \$1000 Monetary Penalty and Remedial Education; Using an Unlicensed Subcontractor (2 Counts) - \$1000 Monetary Penalty and Remedial Education; Failure to Use Change Orders - \$400 REM
2010-00537	Man Chun Kim t/a With Us Interior Hampton, VA	18 VAC 50-22-260: Assisting Another to Violate Regulations (2 Counts) - \$800 Monetary Penalty; Failure to Respond To An Investigator - \$1300 Monetary Penalty and Revocation of License
2010-01902	The Q Companies, LLC Lynchburg, VA	18 VAC 50-22-260: Inaccurate Application Information - \$650 Monetary Penalty; Failure to Use Contract - \$350 Monetary Penalty; Misconduct (3 Counts) - \$2400 Monetary Penalty and Revocation of License

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### CONSENT ORDERS

2010-00119	John Oakley t/a Precision Renovations Dobson, NC	18 VAC 50-22-230: Failure to Operate in Name on License - \$350 Monetary Penalty and Remedial Education; 18 VAC 50-22-260: Misconduct - \$800 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-00980	CMH Homes In. t/a Oakwood Homes Maryville, TN	18 VAC 50-22-260: Misconduct - \$1000 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-02066	Chuck Renner Contracting LLC	18 VAC 50-22-260: Working Outside of Specialty/Class - \$500 Monetary Penalty and Remedial Education; Using an Unlicensed Subcontractor (3 counts) - \$900 Monetary Penalty and Remedial Education; Assisting Another to Violate Regulations - \$600 Monetary Penalty and Probation; Misrepresentation - \$1000 Monetary Penalty and Probation. \$150 in Board Costs.
2010-02158	Virgil Henry t/a Henry's Paving and Seal Coating Strasburg, VA	18 VAC 50-22-260: Working Outside of Specialty/Class - \$650 Monetary Penalty and Remedial Education; Fail to Provide Copy of Contract - \$300 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-02175	Rays Drywall & Painting LC Roanoke, VA	18 VAC 50-22-260: Failure to Use Contract - \$100 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-02240	James McGhee t/a Personalized Custom Building Somerset, VA	18 VAC 50-22-260: Missing Contract Elements - \$900 Monetary Penalty and Remedial Education. 18 VAC 50-22-230: Failure to Operate in Name on License - \$1000 Monetary Penalty and Remedial Education. \$150 in Board Costs
2010-02392	Thomas Showers Front Royal, VA	18 VAC 50-22-260: Assisting Another to Violate Regulations - \$500 Monetary Penalty and Remedial Education. \$150 in Board Costs
2010-02419	Pro Construction of Tidewater Chesapeake, VA	18 VAC 50-22-260: Working Outside of Specialty/Class—\$650 Monetary Penalty and Remedial Education. \$150 in Board Costs.



## DISCIPLINARY ACTIONS (Cont.)



<u>Case Number</u>	<u>Licensee</u>	<u>Violations &amp; Sanctions</u>
2010-02645	George Weeks t/a GT Weeks Contracting Charlottesville, VA	18 VAC 50-22-260: Failure to Use Change Orders - \$800 Monetary Penalty and Remedial Education; Failure to Comply With Miss Utility - \$850 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-02897	Leetta Bateman t/a Bateman Powerwashing & Sealing Glen Allen, VA	18 VAC 50-22-260: Failure to Use Contract (2 Counts) - \$700 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-02918	ANM Carpentry, Inc. Spotsylvania, VA	18 VAC 50-22-260: Assisting Another to Violate Regulations - \$2500 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-02929	Homemedik LLC Vienna, VA	18 VAC 50-22-260: Fail to Provide Copy of Contract - \$150 Monetary Penalty; Misconduct - \$600 Monetary Penalty and Remedial Education \$150 in Board Costs.
2010-03205	Stuart Components Inc. Richmond, VA	18 VAC 50-22-260: Failure to Use Change Orders - \$100 Monetary Penalty and Remedial Education. \$150 in Board Costs
2010-03382	Roctile LLC Goode, VA	18 VAC 50-22-260: Failure to Use Contract - \$1750 Monetary Penalty and Revocation of License; Using an Unlicensed Subcontractor - \$1200 Monetary Penalty and Revocation of License. \$150 in Board Costs. <i>NOTE: Other provisions of this order may, when completed, change these sanctions.</i>
2010-03498	M W Blake t/a M W Blake General Contractor Mechanicsville, VA	18 VAC 50-22-260: Failure to Satisfy Judgment (7 Counts) - \$13,300 Monetary Penalty and Revocation of License. \$150 in Board Costs. <i>NOTE: Other provisions of this order may, when completed, change these sanctions.</i>
2010-03575	M W Blake t/a M W Blake General Contractor Mechanicsville, VA	18 VAC 50-22-260: Failure to Satisfy Judgment - \$1900 Monetary Penalty and Revocation of License. \$150 in Board Costs. <i>NOTE: Other provisions of this order may, when completed, change these sanctions.</i>
2010-03649	James Brooks, Jr. Milford, VA	18 VAC 50-22-260: Missing Contract Elements - \$150 Monetary Penalty and Remedial Education; Working Outside of Specialty/Class - \$500 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-03663	Dement Development, Inc. Virginia Beach, VA	18 VAC 50-22-260: Misrepresentation - \$1200 Monetary Penalty and Remedial Education; Misconduct - \$600 Monetary Penalty and Remedial Education; Failure to Abate USBC Violation - \$850 Monetary Penalty and Remedial Education; Assisting Another to Violate Regulations - \$600 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-03689	BRACT, Inc. Ashland, VA	18 VAC 50-22-260: Failure to Satisfy Judgment - \$1900 Monetary Penalty and Revocation of License. \$150 in Board Costs. <i>NOTE: Other provisions in this order may, when completed, change these sanctions.</i>
2010-03733	William Insley Poquoson, VA	18 VAC 50-30-190: Misconduct - \$250 Monetary Penalty and Remedial Education. \$150 in Board Costs
2010-03743	R C Koontz Carpentry, Inc. Winchester, VA	18 VAC 50-22-260: Working Outside of Specialty/Class—\$650 Monetary Penalty and Remedial Education. \$150 in Board Costs. <i>NOTE: Other provisions in this order may, when completed, change these sanctions.</i>



## DISCIPLINARY ACTIONS (Cont.)



<u>Case Number</u>	<u>Licensee</u>	<u>Violations &amp; Sanctions</u>
2010-03757	George Gobble Abingdon, VA	18 VAC 50-22-260: Failure to Use Contract - \$350 Monetary Penalty and Remedial Education; Working Outside of Specialty/Class - \$200 Monetary Penalty and Remedial Education. 18 VAC 50-22-230: Failure to Operate in Name on License - \$100 Monetary Penalty and Remedial Education. \$150 in Board Costs
2010-03970	JTL Construction Inc Spotsylvania, VA	18 VAC 50-22-260: Failure to Use Contract - \$350 Monetary Penalty and Remedial Education. \$150 in Board Costs
2010-03997	Robert Willis Roanoke, VA	18 VAC 50-30-190: Violate § 54.1 of the Code of Virginia - \$1000 Monetary Penalty, Six Month Suspension of License and Remedial Education; Misconduct - \$1000 Monetary Penalty, Six Month Suspension of License and Remedial Education. \$150 in Board Costs. <i>NOTE: Other provisions of this order may, when completed, change these sanctions.</i>
2010-04108	Wedge Construction, Inc. Sterling, VA	18 VAC 50-22-260: Failure to Use Contract - \$350 Monetary Penalty and Remedial Education; Misconduct - \$600 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-04296	Hardesty Construction Midlothian, VA	18 VAC 50-22-260: Using an Unlicensed Subcontractor - Remedial Education. \$150 in Board Costs
2010-04324	Walters Craftsmen Inc. t/a Preservation Trades Co. Huntly, VA	18 VAC 50-22-260: Using an Unlicensed Subcontractor—\$100 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-04365	Richard Crotty Narrows, VA	18 VAC 50-30-190: Misconduct - \$450 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-04717	All Points Countertop Winchester, VA	18 VAC 50-22-260: Working Outside of Specialty/Class - \$650 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-04725	David Bowman t/a Bowman's Construction Maurertown, VA	18 VAC 50-22-260: Working Outside of Specialty/Class - \$650 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-04804	Talbert Dowling, III Takoma Park, MD	18 VAC 50-30-190: Violate § 54.1 of the Code of Virginia - \$750 Monetary Penalty and Remedial Education; Misconduct - \$750 Monetary Penalty and Remedial Education. \$150 in Board Costs
2010-04816	Southern Landscaping and Construction, Inc. Shacklefords, VA	18 VAC 50-22-260: Missing Contractor Provisions - \$400 Monetary Penalty and Remedial Education; Failure to Use Proper Contract - \$350 Monetary Penalty and Remedial Education. \$150 in Board Costs
2010-05939	Dale Beard Fincastle, VA	18 VAC 50-22-260: Allowing License to Be Used By Others - Remedial Education. \$150 in Board Costs
2011-00628	Woodlawn Construction Company, Inc. Ashland, VA	18 VAC 50-22-260: Using an Unlicensed Subcontractor - \$1000 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2010-03571	Theresa Thomas t/a American Woodcrafter & Designs Spotsylvania, VA	18 VAC 50-22-260: Failure to Provide Copy of Contract - \$300 Monetary Penalty and Remedial Education; Working Outside of Specialty/Class - \$650 Monetary Penalty and Remedial Education. \$150 in Board Costs.



## DISCIPLINARY ACTIONS (Cont.)



<u>Case Number</u>	<u>Licensee</u>	<u>Violations &amp; Sanctions</u>
2010-04122	Mehran Bahremand t/a General Contracting Solutions Brookeville, VA	18 VAC 50-22-260: Failure to Use Change Orders - \$400 Monetary Penalty and Remedial Education; Working Outside of Specialty/Class - \$650 Monetary Penalty and Remedial Education. \$150 in Board Costs.
2011-01137	Brian Anderson t/a Anderson Homes Rustburg, VA	18 VAC 50-22-260: Failure to Satisfy a Judgment - Revocation of License
2010-01822	Alan Toothman Construction, Inc. Woodstock, VA	18 VAC 50-22-260: Using an Unlicensed Subcontractor (2 counts) - \$500 Monetary Penalty and Remedial Education. Missing Contract Elements - \$500 Monetary Penalty and Remedial Education. \$150 in Board Costs.

### The Licensing Corner

This regular feature of *Blueprints* will be used to present answers to Frequently Asked Questions (FAQs) posed to the licensing staff of the Board for Contractors, as well as other news and information that those businesses and individuals licensed or certified by the board may find helpful.

**NEW APPLICATIONS & FORMS TO BE INTRODUCED IN 2011** - In anticipation of the implementation of the new EAGLES licensing system, the Board for Contractors will be using new forms for all transactions. The development of these forms took several months and will make it easier for the licensing staff to review applications and accurately enter data into the new system. The applications will also be easier to read and complete, and will include online versions for some transactions, allowing electronic submission of certain applications. If you are submitting an application after January 1, 2011, check our website to be sure you are sending in the most current version.

**NEW LICENSING SYSTEM TO BE IN PLACE MID-2011** - The Board for Contractors will be riding the second wave of regulatory boards to be switched to the new EAGLES licensing system. This web-based system will be replacing the nearly two-decade old system currently in use. The EAGLES system will have many new features that will, once in place, provide the licensing staff with the tools required to provide an increased level of customer service, more accurate data entry and the ability for customers to complete some transactions online. The current schedule has the system in place around Memorial Day.

**COMMISSIONERS OF THE REVENUE NOW REQUIRED TO CHECK FOR LICENSURE** - The 2010 General Assembly passed legislation (HB409 and HB 713), signed into law by Governor McDonnell, that requires local Commissioners of the Revenue to ensure that a contractor is licensed prior to being issued a local business license. This new requirement also pertains to the renewal of existing business licenses. You may be required to present a copy of your license, or other proof that your license is current, the next time you visit your local tax office. Since the requirements for obtaining a business license can vary from one locality to another, you should contact your local Commissioner of the Revenue's office with any questions concerning how the law will affect you.

**CONTINUING EDUCATION MUST BE COMPLETED PRIOR TO RENEWAL** - Tradesmen and individual certificate holders, who are required to complete continuing education as a prerequisite for renewal, must have that education completed prior to the end of the 30-day "grace" period, or they will be required to pay a reinstatement fee. This means that you must submit your renewal fee AND complete the required education prior to the reinstatement date to avoid having to pay the reinstatement fee. Remember that continuing education for your current two-year licensing cycle can be completed at anytime during that cycle. Don't wait until the last minute to schedule your classes or try to get the education completed before the deadline.

**CLASS C CONTRACTOR LIMIT INCREASED TO \$10,000** - The 2010 General Assembly passed legislation (HB 250), signed into law by Governor McDonnell, amending the cap for single contracts/projects for Class C contractors to below \$10,000. Previously, Class C contractors had to remain below \$7500 for each individual project. The 12 month limit of \$150,000 for the total of all projects completed during that period remains the same. Licenses printed after July 1, 2010, have the new class limit printed above the name of the licensee.



## The Licensing Corner . . . FAQs

### **WHEN SHOULD I EXPECT TO GET MY RENEWAL NOTICE IN THE MAIL?**

Renewal notices are mailed to licensees and certificate holders approximately 45 days prior to the expiration date of the license or certificate. These notices are mailed to the address on file with the board, so it is important to keep the board up-to-date with regard to any address changes. Renewal notices are only mailed once, and not receiving a notice does not relieve you of the obligation to renew. If you do not receive your notice on the first day of the month your license or certificate expires, call the licensing staff at (804) 367-8511 for instructions on how to renew without the notice.

### **I TRIED TO RENEW ONLINE, BUT IT WOULDN'T LET ME. WHY?**

There are a number of reasons that a licensee or certificate holder is not able to renew online. The most common is trying to use the PIN from the last renewal cycle. Under the current licensing system, a new PIN is issued every time a license/certificate expires and a renewal notice is mailed. If you try to use the PIN you received at your last renewal, it will not work. The second most common problem involves the Tax ID number or Social Security Number on file with the board. If the number you enter onto the online renewal screen does not match what is in the board's records, you will not be permitted to renew online. It is important, if you change your Tax ID number or if you switch from a Social Security number to a Tax ID number, to notify the board of the change.

### **DO I HAVE TO TAKE THE SAME CONTINUING EDUCATION COURSE I TOOK THE LAST TIME?**

Current continuing education requirements only mandate that you take a course approved by the board for the specialty you hold on your license. If you would like to take the same course again, there is nothing prohibiting you from doing so. But you must take your continuing education course within each licensing cycle. There is a list of board-approved education providers available on our website. Several of the providers offer online courses and, as more and more providers and courses are approved, the list of subject matter will expand.

### **HOW DO I KNOW IF I AM WORKING OUTSIDE OF MY SPECIALTY?**

The Board for Contractors Regulations has a list of specialties, along with a definition of the work that is permitted to be performed by contractors holding those specialties. Additionally, in those areas where the specific work you are performing cannot be found in the regulations, you should contact the licensing staff for assistance. If the work you are going to perform requires you to obtain a building permit, the staff of your local building official's office can help you determine the specialty required for your license.

### **DOES A LICENSED TRADESMAN OR INDIVIDUAL CERTIFICATE HOLDER HAVE TO BE ON THE JOB SITE?**

There is no requirement in the regulations that a licensed tradesman (plumbing, electrical, HVAC, gas-fitting) be on the job site at all times. It is a violation of the regulations, however, for a contractor to fail to provide adequate supervision to helpers or laborers assisting licensed tradesmen. For Certified Elevator Mechanics and Certified Water Well System Providers, the rules are a little different. Current statutes require that only Certified Elevator Mechanics perform work on elevators, escalators or related conveyances, and that a Certified Water Well System Provider be on the job site at all times when working on water wells or water well systems.

### **DOES MY COMPANY HAVE TO BE LICENSED IF WE ARE JUST A SUBCONTRACTOR?**

There is no differentiation between prime contractors or subcontractors with licensing requirements. Subcontractors must hold their own license in the appropriate class and specialty for the work they are going to perform. Contractors who hire unlicensed or improperly licensed subcontractors are in violation of the board's regulations and subject to disciplinary action. It is the responsibility of contractors to ensure that their subs hold the right type of license for the work they are providing. Any questions on the licensing status of a contractor, tradesman or certificate holder, should be directed to the board's licensing staff at (804) 367-8511.



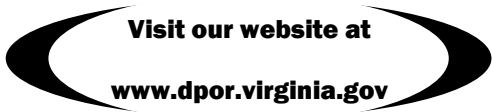
## BOARD FOR CONTRACTORS

9960 Mayland Drive , Suite 400  
Henrico, Virginia 23233-1485

Licensing: 804-367-8511  
Administration: 804-367-2785  
Education: 804-367-2224

Fax: 866-430-1033

E-mail: [contractor@dpor.virginia.gov](mailto:contractor@dpor.virginia.gov)



## Upcoming Board Schedule

Board for Contractors Committee, December 6, 2010 - 2:00 pm

Board for Contractors, December 7, 2010 - 9:00 am

Board for Contractors, January 12, 2011 - 9:00 am

Board for Contractors Committee, April 19, 2011 - 2:00 pm

Board for Contractors, April 20, 2011 - 9:00 am

All meetings, unless otherwise noted, are held in the second floor conference facilities of the Perimeter Center, 9960 Mayland Drive, Henrico, Virginia 23233. You may contact the board's administration staff at (804) 367-2785 for assistance or more in-

## Reporting Changes Is Important



*Keeping the board up-to-date on any address changes or changes in certain personnel ensures that your license will remain in compliance with the regulations—and just might keep you from being disciplined by the board.*

Missed your renewal notice because you changed your address?

Changed corporate officers, LLC managers or partners?

Have a Qualified Individual (QI) or Designated Employee (DE) leave your company?

Changes such as these must be reported to the Board for Contractors in order to keep your license current and avoid possible disciplinary action for failure to report a required change. That's right, it is a violation of the regulations to fail to report a change of address or a personnel change involving your QI or DE.

Reporting your address change just makes good sense. All correspondence sent by the board goes to the address you provided on your application. Most mail from the board is not forwarded, including renewal notices. Additionally, failure to receive correspondence from the board, when you have failed to report an address change, does not relieve you of your obligation to respond to the correspondence or take any action requested by the board.

If your QI leaves your company, you have 45 days to find a replacement and notify the board of that change. If your QI has informed the board that they are no longer employed by you and you have not made the change as required in the regulations, you

may be subject to disciplinary action and you will likely have that specialty removed.

Changes to the DE must be done within 90 days, as well as changes in corporate officers or other members of Responsible Management.

Forms for reporting address changes and personnel changes may be found on our website, or can be emailed or faxed to you upon request. Changes in QI and DE require a fee in addition to the form. Address changes and changes to officers or Responsible Management will be made free of charge.

Please keep the board informed of any changes.