

ON THE LEVEL

A Service of the
State of Alabama
Home Builders
Licensure Board
Spring 2021



HOME BUILDERS
LICENSURE BOARD
www.hblb.alabama.gov



Kicking Off Continuing Education

By Sarah Anderson

In the Fall edition of On The Level, the Board announced that it would begin requiring active licensees to complete six (6) hours of continuing education credits annually. Some licensees have already begun the process of taking continuing education courses to prepare for the 2022 licensure year.

On February 19, 2021, the Board received notice that Clark Crosson, designated qualifying representative for Crosstek Construction, LLC out of Huntsville, Alabama. He completed six (6) hours of continuing education making him the very first licensee to complete the continuing education requirement. He completed the courses Alabama Energy Code 1: Energy Efficiency and Basic Project Management.

The Board had the opportunity to speak with Mr. Crosson about his experience. He looked at continuing education as another requirement to maintain his license. Once he started taking the courses, he realized that the process did not take long. He said, "It was informative. It was six hours and didn't

take as long as I thought." Though he hasn't taken continuing education courses before, "It will help the industry if the topic is current and beneficial," he said.

He decided to complete his continuing education hours early because he does not like to procrastinate and stays on top of things. He chose to take courses that would cover topics that would be relevant to his work. He enjoyed the convenience of taking his courses online.

Mr. Crosson believes that having continuing education will be helpful because it will keep the licensed members of the industry on their toes. Another benefit of continuing education, he said, "It could also help eliminate unlicensed builders."

Continuing education is here, and we are looking forward to seeing how it can help the industry. As they are approved, the list of classes, providers, and instructors will be maintained on the Board's website at www.hblb.alabama.gov/continuing-education. ▲

CONTINUING EDUCATION IS HERE!!

By Darlene Burt

Beginning this renewal season, all active licensees must complete six (6) hours of continuing education to be issued their 2022 license. The requirement must be met whether the licensee holds an unlimited, limited, or roofers license. If the licensee is a corporate entity, the designated qualifying representative must be the one to take the required courses.

Licensees holding an inactive license are not required to complete continuing education. However, to return to active status, six (6) hours of continuing education hours must be completed.

Licensees who will be 60 years old on or before October 1st are exempt. To claim the exemption, complete and return the Continuing Education Age Exemption form located on page three (3). If the licensee is a corporate entity, the designated qualifying representative must complete the form. Licensees renewing for the first time are also exempt. No action is required to receive this one-time exemption. For additional information, visit our website at <https://hblb.alabama.gov/continuing-education/>. Once there, click available courses to see a list of approved providers and courses. Please note that two of the six continuing edu-

cation hours must come from Alabama specific courses. The courses that meet the Alabama specific requirement are noted in red. Courses are offered online and in person. Licensees are not required to report completed continuing education to the Board. The provider will notify the Board as licensees complete their continuing education.

The 2022 renewal seasons begins on October 1, 2021. To avoid a delay in the issuance of your 2022 license, **complete the six (6) hours of continuing education before October 1, 2021.** To avoid a \$50 administrative late fee, complete the six (6) hours of continuing education credits on or before November 30, 2021. ▲

**SIX (6) HOURS OF
CONTINUING EDUCATION
REQUIRED BY OCTOBER 1ST!**



Builder Watch

Hotline

1-800-304-0853

Protect Alabama Consumers and Your Industry.

Report Unlicensed Builder Activity!

(All calls will remain anonymous)



H O M E
B U I L D E R S
L I C E N S U R E
B O A R D

Mailing Address

P. O. Box 303605
Montgomery, Alabama
36130-3605

Street Address

445 Herron Street
Montgomery, Alabama
36104

Telephone

(334) 242-2230

Fax

(334) 263-1397

www.hblb.alabama.gov

CONTINUING EDUCATION AGE EXEMPTION FORM

Licensees age 60 and over, on or before October 1, are exempt from continuing education requirements.

To claim the exemption, complete the following, provide proof of age, and return the form to the Board.

License or File No: _____

Name: _____

Company Name: _____
(If applicable)

Current Age: _____ **Date of Birth:** _____

Check the document that is attached:

- ☐ Driver's License or Nondriver's Identification Card
- ☐ Birth Certificate
- ☐ Valid Government Issued Document that includes name and date of birth.

Return completed form to:

Mailing Address:

Home Builders Licensure Board
Attn: Continuing Education
P.O. Box 303605
Montgomery, AL 36130-3605

Fax Number:

(334) 263-1397

Email:

ce@hblb.alabama.gov.

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COMPLIANCE CORNER

By J. Seth Gowan, Deputy Attorney General

Are you using a written contract when you do work for a homeowner?

Is that contract signed by the homeowner?

Is that contract signed by you and/or someone authorized to enter into contracts on behalf of your company?

Important questions for all licensees to be mindful of when engaging in residential home building.

Under Ala. Code § 34-14A (1975), the Home Builders Licensure Law (“the Act”), entering into a contract for residential home building is a transaction (Ala. Code §34-14A-2(14)). And when a licensee enters into a contract, the licensee “shall utilize a valid written contract” (Ala. Code §34-14A-7(f)). According to the Board regulations, effective October 12, 2018, a violation of the Act occurs when a licensee fails “to use a valid written contract including offer and

acceptance indicated by the signing of all parties,” (Ala. Admin Code r. 465-X-1-.01(12)(a)(11)).

Therefore, it is important to remember when you agree with a homeowner to perform residential homebuilding that the terms of what you are doing and the costs are in writing, and the document is signed by both you and the homeowner. In investigating a consumer complaint, the first thing a Board Investigator will ask to see is a copy of the contract. Be aware: if the contract is signed by you, the licensee, but is not signed by the homeowner, that is not a valid written contract – a violation of the Act.

Failure to comply with the law and regulations regarding use of a valid written contract will result in disciplinary action against a licensee. The Board’s disciplinary authority may include some or all the following: revocation or suspension of a license, remedial education classes, and/or an administrative fine up to \$5,000 per violation. ▲



All current disciplinary actions and unlicensed builder prosecutions can be found on the HBLB website at www.hblb.alabama.gov/disciplinary-actions/. All actions remain posted for a period of ninety (90) days. Inquiries pertaining to disciplinary actions and unlicensed builder prosecutions must be submitted in writing to the Home Builders Licensure Board, Legal Division, P O Box 303605, Montgomery, Alabama 36130-3605.

HBLB Disaster Response Trailer Makes Maiden Deployment

By Chip Carden, Executive Director

The Home Builders Licensure Board (HBLB) made a huge step in creating and purchasing a disaster response trailer. This trailer will serve as a mobile licensing site, command center and focal point for the Board's licensing and consumer awareness activities during the aftermath of natural disasters and even in fair weather activities such as Home and Garden shows and industry conferences. After long production delays from the COVID-19 pandemic, the Board finally took possession of its new trailer in October of 2020.



Just a few short months pass and on January 25th, 2021 an EF3 tornado rips into Fulntondale, Alabama destroying or damaging hundreds of homes, injuring 30 with one fatality. Early the next morning, Board staff immediately secured a prominent location in a high traffic and visible area for the storm trailer set up. HBLB investigators continued to use the trailer for the next 30 days as a command center and focal point to distribute consumer awareness materials for those who suffered damage. ▲



Hurricane Sally Causes State of Emergency —Roofers Respond

By Melanah Poole

In the aftermath of Hurricane Sally, many residents in Baldwin and Mobile County found themselves in need of serious roof repair. As a response to Governor Ivey's state of emergency declaration on September 14, 2020, the Home Builders Licensure Board issued temporary, emergency roofer licenses. The Board's Executive Director, Chip Carden said "Once Governor Ivey made her disaster declaration, following Hurricane Sallie, the Home Builders Licensure Board used its authority to protect Alabama consumers and bring more qualified and experienced contractors to the severely damaged Gulf Coast by issuing emergency roofer licenses." These licenses were valid for 60 days, and allowed roofing contractors, both in-state and out-of-

state, to assist in repairing the destruction the storm caused. The Board issued **116** emergency roofers licenses during the Hurricane Sally storm response.

Hundreds of roofing contractors responded to the emergency order. The Home Builders Licensure Board received applications spanning 16 states, with some coming from as far as Michigan, New York, and Colorado. The emergency roofer licenses allowed for greater storm response and opened the door for the Board to gain new licensees. One-third of the applicants issued an emergency roofer license returned to obtain either a permanent roofers or home builders license in the State of Alabama. ▲



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Alabama State of Emergency Consumer Protection Act Now Law (Act 2021-272)

By J. Seth Gowan, Deputy Attorney General

On April 22, 2021, Governor Kay Ivey signed the Alabama State of Emergency Consumer Protection Act. The new law takes effect July 1, 2021 and is an amendment to the Home Repair Fraud statute, Section 13A-9-111, Code of Alabama, 1975 creating the felony crime of Aggravated Home Repair Fraud.

Under the new law, a person or company may be charged with a Class C Felony who is not properly licensed, enters into a contract to do residential construction work as a direct result of storm damage if they have been

previously convicted as unlicensed builder and/or misrepresented to the homeowner about being licensed. This enhancement applies when the Governor has declared an emergency declaration as a result of storm damage.

Stay tuned. There will be more information coming this summer about the new law and the Board's plans to work with local law enforcement, building officials and prosecutors to better protect consumers. A copy of the new law may be found on the Board's website, hblb.alabama.gov. ▲