

# ON THE LEVEL

A Service of the  
State of Alabama  
Home Builders  
Licensure Board  
Spring 2022



HOME BUILDERS  
LICENSURE BOARD  
[www.hblb.alabama.gov](http://www.hblb.alabama.gov)



## Administrative Rules and Regulation Changes

By Darlene Burt

**There have been some changes to the Board's Administrative Rules and Regulations.**

- ◆ In cities and counties that have not adopted a residential building code, the Board will apply the 2015 International Residential building Code (IRC) when conducting investigations involving contracts that were entered into on or after February 13, 2022. In cities and counties with an adopted building code, the Board will apply the code adopted by the city or county.
  - ◆ Licensees are no longer required to provide a written explanation of pending lawsuits.
  - ◆ Within 45 days of the departure of the designated qualifying representative (DQR), the licensee must submit a hardship waiver that includes documentation reflecting the cause of the DQR's departure. The hardship waiver can be granted for no more than 135 days. The hardship waiver must accompany a fee of \$125.00. The fee is \$75.00 for a roofers license.
  - ◆ Military Education and training may be used to satisfy a portion of the experience and ability requirement.
  - ◆ There is now a \$25.00 fee to replace a lost, stolen, or damaged license. There is no charge to replace an undelivered license. Licensee's must complete an Affidavit found on the Board's website.
  - ◆ There is now a \$100.00 processing fee to change the DQR.
  - ◆ To seek non-traditional continuing education course credit, licensees may submit the request for approval within the current license year and prior to the renewal of the license for the following year. ▲
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# THE CONTINUING EDUCATION GAME

By Darlene Burt

**T**he Board instituted the continuing education requirement to promote industry professionalism. The 2022 renewal season was the first renewal season the Board required active licensees to complete six (6) hours of continuing education before issuing the renewal licenses. Some licensees expressed that requiring continuing education was done as a revenue generator for the Board. Others expressed appreciation and saw the value of quality continuing education.

To ensure quality continuing education, the Board vetted provider, instructor, and course applications. There are over 50 quality continuing education courses listed on the Boards website. The Board values the opinion of our licensees and encourages licensees to complete course evaluations. Based on comments from licensees and evaluations, the Board hit a home run in its

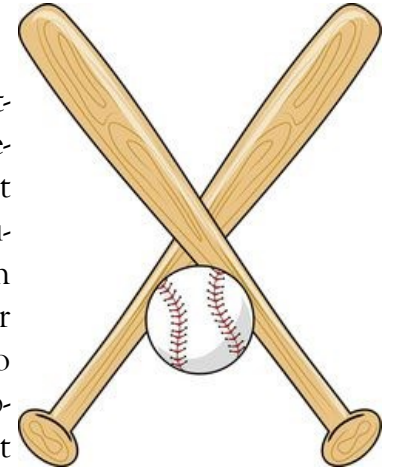
selection of quality continuing education courses.

All licensees, no matter what type of license they hold, must complete the continuing education unless they are exempt. There are absolutely no pitch hitters in Continuing Edu-

cation. The Designated Qualifying Representative (DQR) must complete the continuing education or claim the age exemption for corporate entities. To claim the age exemption, the licensee must be 60 years old by Oc-

ttober 1st, when the renewal season begins and submit a continuing education age exemption form. The age exemption is a permanent exemption. Once claimed, the Board does not require resubmission of the form. Licensees renewing for the first time are also exempt.

Licensees can begin completing continuing education any time. When selecting courses, licensees are advised to visit the Board's website and ensure that at least two hours of the courses selected meet the Alabama specific requirement. Most licensees hit home runs and completed six hours that included two Alabama specific course hours. A few licensees accumulated two strikes, completing six or more hours, but failing to complete the two Alabama specific course hours. Fortunately, up to six hours can be rolled over for the next renewal season. So once these licensees completed the two Alabama specific hours, they made it to home plate with course hours in their pockets for next season. Courses meeting the Alabama specific requirement are clearly annotated in red on the Board's website. Once the course is completed the provider will notify the Board. ▲



There are over 50 quality continuing education courses listed on the Boards website.

# KNOW YOUR NUMBER

Most people have several passwords and account numbers to contend with and it's challenging to keep track of so many. Course providers submit rosters containing the license number of the licensee completing the course, which the Board uses to credit continuing education hours. There were a few licensee strikes here. The Board caught licensees using the last four of their social security number, driver's license number, General Contractors License numbers and other numbers not recognized by Board staff. It was an easy catch when there were more than five digits, or the numbers included letters not used by the Board. But being rookies to continuing education, we didn't catch them all.

Occasionally, Board staff received calls from licensees who had not received their 2022 license. An investigation revealed that the number used on the roster was not the correct or current license number. The Board staff was, of course, happy to resolve the issue and credit the licensee with continuing education credits. ▲

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# STRIKES BY BOARD STAFF

Board staff endeavored to make licensees aware of the continuing education requirement. We began with an article in the Fall 2020 edition of "On the Level" followed by several other articles, emails, and automated telephone calls. Most licensees were aware of the continuing education requirement by October 1, 2021, when the 2022 renewal season began. I'd say we made it to third base.

During the renewal season, communicate the status of licensee struck out. We didn't send occasion sent conflicting insincere apology and will strive al season. Overall, thanks to cation went well. For more ucation, visit the Board's web- [hblb.alabama.gov/](https://hblb.alabama.gov/)



Board staff attempted to com- see continuing education and timely information and on oc- mation. For this I offer my to hit a home run next renew- the licensees, continuing edu- information on continuing ed- site at [https:// continuing-education/](https://continuing-education/).

## Do you have questions about continuing education?



### Frequently Asked Questions:

**Must my continuing education be complete before I submit a renewal application?**

No. The Board suggests completing continuing education by October 1st to avoid delays in the issuance of the renewal license.

**What makes a course Alabama specific?**

Courses are Alabama specific when they contain course material that is specific to the State of Alabama. These courses include, but are not limited to Alabama contracts, Alabama business organizations, and courses about Alabama Statutes and regulations governing residential home building in Alabama.

**What if I didn't realize I was exempt and completed continuing education?**

Notify the Board and the unneeded hours can be rolled over to the next renewal year.

**Does the first-time exemption apply to a corporation that gets a new DQR?**

If the new DQR had to show experience and ability which includes taking the examination to become the DQR, the corporation is exempt.

If the new DQR held an inactive or active license that was not exempt, the corporation is not exempt.

**Do I need to send or upload my completion certificate?**

No. The provider is responsible for notifying the Board when continuing education is complete. The Board will only ask for the completion certificate if there is a dispute as to whether continuing education is complete.

**I submitted an age exemption form. Do I still have to renew my license?**

Yes. Completing continuing education is a requirement to renew the license. Being exempt from the continuing education requirement does not exempt licensees from the renewal process.

**Where on the website can I check my continuing education status?**

Currently, the status of continuing education cannot be checked on the Board's website. To check the status, please call 800-304-0853 and ask for Sarah Anderson or send an email to [ce@hblb.alabama.gov](mailto:ce@hblb.alabama.gov).

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# COMPLIANCE CORNER

By J. Seth Gowan, Deputy Attorney General

## How are you licensed? How are you doing business?

Two important questions you need to answer before undertaking or offering to undertake residential construction.

The Board issues licenses to individuals, partnerships, corporations, limited liability companies (LLC), and not-for-profit organizations. Partnerships, corporations and LLCs are licensed through a designated qualifying representative (DQR) who meets the requirements for license. A residential homebuilder can only engage in residential homebuilding as they are li-

censed. In other words, if you are licensed individually, your written contract with the homeowner should be between you, individually, and the homeowner. If you have a licensed partnership, corporation or LLC, then the contract should be between the business entity and the homeowner. You cannot use your individual license to then do work through a partnership, corporation or LLC. Likewise, you cannot be licensed as one business entity and use that license to do work through another entity. If you do either of these, then that is unlicensed homebuilding.

Unfortunately, these scenarios are common mistakes the Board discovers during investigations and will result in disciplinary action. How are you licensed? How are you doing business? If you are not sure, contact the Home Builders Licensure Board. ▲

All current disciplinary actions and unlicensed builder prosecutions can be found on the new and improved HBLB website at [www.hblb.alabama.gov/disciplinary-actions/](http://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.





[www.hblb.alabama.gov](http://www.hblb.alabama.gov)

Post Office Box • 445 Herron Street  
Montgomery, Alabama 36130-3605

# Tips for Homeowners to Avoid Further Damage After a Storm

By Sarah Anderson

The HBLB offers these important tips for homeowners to avoid further damage after the storm is over:

**Ask to see the card.** All licensed home builders have a wallet card, proving that they are currently licensed. The wallet card is credit card sized, not to be confused with large state and local business licenses.

**Ask for, and check, references.** Once you have taken care of your first priority, protecting your home from further damage, you will have time to obtain and check references before work begins.

**Make sure quotes and contracts are in writing.** It is required by law!

**Ask for proof of insurance.** Make sure you have proof of workers compensation and general liability insurance, not just a verbal assurance.

**Don't get in a hurry!** If your home is severely damaged, take your time to make careful, informed decisions. Taking a little time now will save you lots of time in the future.

**Contact your local county or municipal officials regarding local residential construction ordinances, and make sure your builder knows them.**

Contact the Alabama Home Builders Licensure Board at 334-242-2230 or visit our website: [www.hblb.alabama.gov](http://www.hblb.alabama.gov) to find out if a builder is licensed or for more information. ▲