

LICENSE REQUIREMENTS FOR LIMITED LICENSE

A residential home builder who contracts directly with a home owner to perform construction that requires only a single trade and that does not affect the structural integrity of the residence, when the total cost of the undertaking exceeds \$10,000, is required to hold a residential home builders license; however, rather than holding a residential home builders license without limitation, he or she may hold a residential home builders license with limitation (a limited license).

LICENSE FORMS

The extent to which a residential home builder may engage in the residential home building business depends upon the form of license held. Licenses will be issued only to individuals, partnerships, corporations, limited liability companies, and non-profit organizations.

DESIGNATED QUALIFYING REPRESENTATIVE

1. **Individuals** applying for a license personally must satisfy all of the licensure requirements including experience and ability.
2. **Partnerships, corporations, limited liability companies, and non-profit organizations** must designate a qualifying representative who must satisfy the experience and ability requirements for licensure. The Designated Qualifying Representative (DQR) must be a general **partner** if the applicant is a partnership, an **officer** if the applicant is a corporation, a **member** if the applicant is a member-managed limited liability company, or a **manager** if the applicant is a manager-managed limited liability company.

INSTRUCTIONS

1. APPLICATION

All applicants must file an accurate, complete, and notarized application for license with the Board. **No copies will be accepted.**

2. BUSINESS-RELATED FINANCIAL REQUIREMENTS

All applicants must order a business-related credit report, including a public records search, to be submitted directly to the Board by a credit reporting agency. An applicant whose application is pending for more than 90 days may be required to file an updated credit report. An order form is enclosed for your convenience.

3. FEES

The annual license fee is \$250.00. A non-refundable \$100.00 new license application processing fee must also accompany applications for a new limited license. Please make checks in the amount of \$350.00 payable to the Home Builders Licensure Board. The Board accepts personal or company checks, cashier's checks, certified checks, or money orders for all new applications. The Board does not accept cash. **All fees must be paid before the application is processed.** Upon written request, the annual license fee will be refunded in the event an application is rejected or denied.

4. EXPERIENCE AND ABILITY

All applicants will be required to satisfy the experience and ability requirement prior to licensure, as set out in Section 3 on the application for a new limited license for individuals and in Section 4 on the application for a new limited license for corporations. Attach all documentation required on the application.

(Continued on back)

Revised 5/19

APPLICATION CHECKLIST

- Application Completed, Signed and Notarized (**Corporation, partnership and limited liability company applications must have signatures notarized in both Sections 7 and 8.**)
- Check, cashier's check, certified check, or money order in the amount of \$350.00 made payable to Home Builders Licensure Board enclosed. The Board does not accept cash payments or credit cards.
- Ordered Business-Related Credit Report
- Attach Certificate of Compliance from the Alabama Department of Revenue if a corporation, limited liability company, or limited partnership.
- Attach Certificate of Existence from the Alabama Secretary of State if a foreign (out-of-state) corporation, limited liability company, or limited partnership.
- Attach proof of citizenship.
- Attach documentation as required in Section 2: Designated Qualifying Representative of a corporate application.
- Attach current or recent business license as a contractor. The license must list the applicant's name or listed trade name.

NOTICE

Conducting business through a corporation, partnership, or limited liability company that does not hold an Alabama Home Builders License is a violation of the law.

INDIVIDUAL LICENSEES: You may engage in residential homebuilding only in your individual capacity or through a licensed entity of which you are an employee, partner, officer, or member. If you are conducting business through a corporation, partnership, or limited liability company that does not hold an Alabama Home Builders License, you are in violation of the law.

DESIGNATED QUALIFYING REPRESENTATIVE: You may engage in residential home building only through the entity that holds the Alabama Home Builders License. If you wish to engage in residential home building either individually or through another entity that does not hold an Alabama Home Builders License, you must obtain a license either individually or on behalf of the unlicensed entity. If you are conducting business through an unlicensed entity, you are violating the Home Builders Licensure Law.

There are penalties and injunctions applicable to unlicensed builders. Pursuant to *Ala. Code* § 34-14A-14(2002), any person who undertakes or attempts to undertake the business of residential homebuilding without a valid license, which has neither expired nor been revoked, is guilty of a Class A misdemeanor. The Board may stop the construction work of any person or entity that undertakes or attempts to undertake the business of residential homebuilding without a valid license. The Board may issue a stop work order to the owner of the property or to his or her agent, or to the residential homebuilder, or to the person doing the work, and set the conditions under which work may be resumed. A residential homebuilder who is required to be licensed, but who does not hold a State of Alabama Home Builders License, may not bring or maintain any action to enforce contract for residential construction.

NOTICE FOR CORPORATIONS, LIMITED LIABILITY COMPANIES, OR LIMITED LIABILITY PARTNERSHIPS

If you are a **foreign (out of state)** corporation, limited liability company (LLC), or limited liability partnership (LLP) you must provide a **Certificate of Existence** from the Alabama Secretary of State's office. You may order this certificate online at www.sos.alabama.gov or you may contact their office at (334) 242-5324.

If you are a corporation, limited liability company (LLC), or limited liability partnership (LLP), you must provide a **Certificate of Compliance** from the Alabama Department of Revenue (ADOR). **Required for in-state and out-of-state companies.**

To request the **Certificate of Compliance**, you must do the following:

1. If you have not already done so, if you are a corporation, LLC or LLP, you must register your company with the Alabama Secretary of State's office. You may register online at www.sos.alabama.gov or you may contact their office at (334) 242-5324.
2. If you have formed a corporation, LLC, or LLP, you must file the appropriate **Business Privilege Tax form** with ADOR. You may download this form at: www.revenue.alabama.gov (Services Section) or contact the Business Privilege Tax Division at (334)242-9800.
3. Order the **Certificate of Compliance** from ADOR. You may order this certificate online at <https://revenue.alabama.gov/certificate-of-compliance/> or you may contact ADOR at (334)353-7944.
IMPORTANT: Make sure the certificate is ordered in your complete Company name.

NOTICE: In order to request and provide a Certificate of Compliance from the Alabama Department of Revenue (ADOR), you must pay the Alabama Business Privilege Tax within and before the 2 ½ month ADOR requirement expires.



HOME BUILDERS LICENSURE BOARD

www.hblb.alabama.gov

P.O. Box 303605 • Montgomery, Alabama 36130-3605 / Overnight Delivery: 445 Herron Street • Montgomery, Alabama 36104 Telephone (334) 242-2230 / Facsimile (334) 263-1397

NEW LIMITED LICENSE APPLICATION (CORPORATIONS, PARTNERSHIPS & LIMITED LIABILITY COMPANIES)

OFFICE USE ONLY (Date Stamp) Check No. Amount Paid

INSTRUCTIONS: Please type or print in ink all information. Please submit the original application - no copies will be accepted. ALL QUESTIONS IN EVERY SECTION MUST BE ANSWERED COMPLETELY. Use additional sheets if necessary. Make check, cashier's check, certified check, or money order for \$350.00 (\$250.00 license fee plus \$100.00 non-refundable new license application processing fee) payable to the Home Builders Licensure Board. The Board does not accept cash or payments by credit card. All fees must be paid before the application will be processed.

NOTICE:

- 1) Submitting false information for the purpose of obtaining a license is a criminal offense and grounds for license denial. 2) A corporation, partnership, or limited liability company license allows you to engage in residential construction only in the name of the company granted the license. 3) Partners, officers, members, or managers desiring a license should apply for an individual license. [] Yes [] No I have read and understood the above statements.

SECTION 1: APPLICANT INFORMATION

Please designate appropriate business form: [] Corporation [] Partnership [] Limited Partnership [] LLC

Business Name

List any and all business names/trade names you plan to use to perform residential construction or remodeling:

Federal Tax Employer ID Number State Tax ID Number

Street Address

City County State Zip

Mailing Address

City County State Zip

Business Phone () Cellular Phone ()

Fax () E-mail Address

If the applicant is a limited partnership or LLC, when and where was the agreement filed? Date County State

If the applicant is a corporation, when and where was it incorporated? Date County State

Where is the principal office of the business? Street Address City State Zip

[] Yes [] No If the applicant is a corporation, limited partnership or LLC, is it in good standing with the Alabama Department of Revenue? If "YES," provide a copy of the Certificate of Compliance issued by the Alabama Department of Revenue.

[] Yes [] No If the applicant is a foreign (out-of-state) corporation, limited partnership or LLC, has it received the Certificate of Authority issued by the Secretary of State's office to transact business in Alabama?

If "YES," provide a copy of the Certificate of Authority issued by the Secretary of State of Alabama.

SECTION 2: DESIGNATED QUALIFYING REPRESENTATIVE

You must provide the following information for the general partner, officer, member, or manager who will serve as the designated qualifying representative.

Name _____ Social Security# _____
(Disclosure mandatory under the Alabama Child Support Reform Act of 1997, Act 97-447, Ala. Code § 30-3-194 (1975) to be used for the purposes described therein.)

Address _____ Years with Company _____

- Yes No 1. Does the individual listed above currently hold an individual home builders license or serve as a designated qualifying representative of a corporation, partnership, or limited liability company licensed by this agency?
If "YES", list name _____ and file number _____
- Yes No 2. Does the individual listed above currently hold an individual home builders license or serve as a designated qualifying representative of a corporation, partnership, or limited liability company licensed by this any other state?
If "YES", attach a copy of the license.
- Yes No 3. Is the applicant a corporation?
 Yes No If "YES", is the individual listed above an officer of the corporation?
If "YES", attach a signed notarized copy of the minutes listing the individual as an officer (president, secretary, etc.)
- Yes No 4. Is the applicant a partnership/limited partnership?
 Yes No If "YES", is the individual listed above a general partner?
If "YES", attach a signed notarized affidavit from the individual listed above affirming that he or she is a general partner.
- Yes No 5. Is the applicant a limited liability company (LLC)?
If "YES", complete the following:
 Yes No a) Is the LLC managed solely by its members (this includes a sole member LLC)?
 Yes No If "YES", is the individual listed above a member?
If "YES", attach a signed notarized copy of the minutes listing the individual as a member.
- OR**
- Yes No b) Is the LLC managed solely by one or more managers?
 Yes No If "YES", is the individual listed above a manager?
If "YES", attach a signed notarized copy of the minutes listing the individual as a manager.

SECTION 3: APPLICANT BACKGROUND AND BUSINESS HISTORY

IF YOU ANSWER "**YES**" TO ANY OF THE FOLLOWING QUESTIONS, **YOU MUST PROVIDE THE REQUESTED DOCUMENTATION AND A FULL EXPLANATION ON A SEPARATE SHEET OF PAPER.**

- Yes No 1. Within the past 7 years, has any partner, officer, member, or manager of this company pled guilty or nolo contendere or been convicted of a felony?
- Yes No 2. Within the past 7 years, was this company, or any partner, officer, member, or manager or any entity of which this company is a successor, declared or placed in bankruptcy?
If "YES," indicate in the full explanation whether the bankruptcy was filed under Chapter 7, 11 or 13 of the U.S. Bankruptcy Code.
If the bankruptcy was filed under Chapter 13, provide a schedule of creditors, a payment plan and a history of payments. If the bankruptcy was filed under Chapter 11, provide a reorganization plan.
If the bankruptcy was filed under Chapter 7, provide a schedule of creditors.
If the bankruptcy has been discharged, provide a copy of the discharge order.

SECTION 3: APPLICANT BACKGROUND AND BUSINESS HISTORY *(continued from Page 2)*

- Yes No 3. Within the past 7 years, did this company, or any partner, officer, member, or manager or any entity of which this company is a successor, have any professional or business license revoked or suspended in Alabama or any other state, or have an application for any professional or business license denied in Alabama or any other state? If "YES," provide a copy of the revocation, suspension, or denial order with your written explanation.
- Yes No 4. Does the applicant, or the applicant's designated qualifying representative, either individually or as the designated qualifying representative of any other entity, have any outstanding disciplinary actions before this Board? If "YES", provide the name of the homeowner involved: _____
- Yes No 5. Are there any liens for labor or materials filed on any of the work performed by this company, or any partner, officer, member, or manager or any entity of which this company is a successor? If "YES," provide a copy of the lien filing, and the release of lien if the lien has been released, with your explanation.
- Yes No 6. Within the past 7 years, has this company, or any partner, officer, member, or manager of this company, been identified by the Board as an unlicensed builder?

SECTION 4: EXPERIENCE AND ABILITY

The Designated Qualifying Representative must **affirm and provide** the following to satisfy the experience and ability requirements for licensure:

I currently hold or held, on or before one (1) year prior to the date this application was submitted, a business or occupational license as a contractor issued by a municipality, township, or county in this state.

Yes No **I have read and understood the above statement.**

Attach a copy of the business or occupational contractor's license issued to you by a municipality, township, or county in this state.

If you do not hold the required business license, please contact the Licensure Division regarding alternate methods of satisfying the Experience and Ability requirement.

SECTION 5: BUSINESS-RELATED FINANCIAL INFORMATION

A credit report on the entity, including a public records search, must be submitted directly to the Board from a credit reporting agency. Any entity whose application is pending for more than 90 days may be required to file an updated credit report.

* Disclosure of Social Security Number for the purpose of obtaining business-related financial and credit information and public records search is voluntary. Disclosure requested under *Ala. Code § 34-14A-7(a)(4)*.

SECTION 6: CITIZENS AND ALIENS LAWFULLY PRESENT

This section to be completed in compliance with Ala. Code § 34-14A-7 and Ala. Code § 31-13-7,29, which provides that an alien’s lawful presence in the United States may be verified through SAVE. This section must be completed by the designated qualifying representative. **This application will not be processed until the requested documentation is received by the Board.**

Yes No **1. Are you a citizen of the United States?**

If “YES,” please read the declaration below, sign, and provide a legible copy of any one of the documents listed below. If “NO,” see question 2, below.

- 1) Driver’s License or Nondriver’s Identification Card
- 2) Birth Certificate
- 3) Pertinent pages of a valid or expired United States passport (must identify person and show passport number)
- 4) United States naturalization documents or the number of the certificate of naturalization
- 5) Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952, as amended.
- 6) Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number
- 7) Consular report of birth abroad of a citizen of the United States of America
- 8) Certificate of citizenship issued by the United States Citizenship and Immigration Services
- 9) Certification of report of birth issued by the United States Department of State
- 10) American Indian Card with KIC classification, issued by the United States Department of Homeland Security
- 11) Final adoption decree showing the person’s name and United States birthplace
- 12) Official United States military record of service showing the applicant’s place of birth in the United States
- 13) An extract from a United States hospital record of birth created at the time of the person’s birth indicating the place of birth in the United States
- 14) AL-verify
- 15) Valid Uniformed Services Privileges and Identification Card
- 16) Any other form of identification that the Alabama Department of Revenue authorizes . . . to be used to demonstrate or confirm a person’s United States citizenship or lawful presence in the United states, provided that the identification requires proof of lawful presence in the United States as a condition of issuance.

I hereby declare that I am a citizen of the United States of America.

I sign this declaration under penalties of perjury; making a false, fictitious, or fraudulent statement or representation in this declaration is perjury in the second degree pursuant to Ala. Code § 13A-10-102.

Printed Name of Applicant

Signature of Applicant

Yes No **2. If you are not a citizen of the United States, are you an alien who is lawfully present in the United States?**

If “YES,” please read the declaration below, sign, and provide a legible copy of any one of the documents listed below.

- 1) Valid, unexpired Alabama driver’s license
- 2) Valid, unexpired Alabama nondriver identification card
- 3) Valid tribal enrollment card or other form of tribal identification bearing a photograph or other biometric identifier
- 4) Any valid United States federal or state government issued identification document bearing a photograph or other biometric identifier, including a valid Uniformed Services Privileges and Identification Card if issued by an entity that requires proof of lawful presence in the United States before issuance
- 5) Foreign passport with an unexpired United States Visa and a corresponding stamp or notation by the United States Department of Homeland Security indicating the bearer’s admission to the United States
- 6) Foreign passport issued by a visa waiver country with the corresponding entry stamp and unexpired duration of stay annotation or an I-94W form by the United States Department of Homeland Security indicating the bearer’s admission to the United States

I hereby declare that I am an alien lawfully present in the United States of America

I sign this declaration under penalties of perjury; making a false, fictitious, or fraudulent statement or representation in this declaration is perjury in the second degree pursuant to Ala. Code § 13A-10-102.

Printed Name of Applicant

Signature of Applicant

(Continued on page 5)

NOTICE: BOTH SECTIONS 7 AND 8 MUST BE SIGNED AND NOTARIZED.

SECTION 7: OATH AND RELEASE FOR DESIGNATED QUALIFYING REPRESENTATIVE (DQR)

I solemnly swear or affirm that I am the person referred to in this application; that the information provided and the statements made herein and on the attachments hereto are accurate, complete, and true to the best of my knowledge; and further, that if the Home Builders Licensure Board recognizes me as a qualifying representative, I shall abide by all laws relating to residential home builders and the rules adopted by the Board.

Yes No **I have read and understood the above statement.**

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

Yes No **I have read and understood the above statement**

Printed Name of Designated Qualifying Representative [DQR] (Must be a General Partner, Officer, Member, or Manager)

Signature of Designated Qualifying Representative [DQR] (Must be a General Partner, Officer, Member, or Manager)

Its: _____

Position Held

County of _____)

State of _____)

Signed and sworn to before me this ____ day of _____, _____ (Month) (Year) (Notarial Seal)

Signature – Notary Public _____

My Commission Expires: _____

SECTION 8: OATH AND RELEASE FOR CORPORATIONS, PARTNERSHIPS, OR LIMITED LIABILITY COMPANIES

I solemnly swear or affirm that I am authorized to execute this application on behalf of the applicant; that I have actual knowledge of the statements made herein and on the attachments hereto and that such statements are accurate, complete, and true to the best of my knowledge; and further, that if the applicant is granted a license by the Home Builders Licensure Board, I shall use my best efforts to ensure that the applicant abides by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

Printed Name of Authorized General Partner, Officer, Member, or Manager

Signature of Authorized General Partner, Officer, Member, or Manager

Its: _____

Position Held

County of _____)

State of _____)

Signed and sworn to before me this ____ day of _____, _____ (Month) (Year) (Notarial Seal)

Signature – Notary Public _____

My Commission Expires: _____

NOTICE: BOTH SECTIONS 7 AND 8 MUST BE SIGNED AND NOTARIZED.

Year 2019 Credit Report Order Form

Holloway Credit Solutions, LLC

Post Office Box 230609 ♦ Montgomery, AL 36123

Phone (800) 264-2700 ext. 1310 / (334) 396-1310 ♦ Fax (800) 489-0067 / (334) 396-1350

For faster processing you may fill out this application online at www.hollowaycredit.com!

Please fax this application with your credit card payment or mail it with your check in the enclosed postage paid envelope.

The credit report fee is **\$35.00** for all applicants.

Type of Application:

Individual

Corporation or LLC

Partnership

File Number: _____

OR

New Applicant

Applicant Information:

Name _____
(if the license is for a corporation, LLC or a partnership, use company name)

Mailing Address _____

City _____ State _____ Zip _____

Business Phone (_____) _____ Fax (_____) _____

E-mail address _____

List any other names you do business under _____

If you hold the license as an INDIVIDUAL, provide the following information.

Name _____ Social Security Number (optional) _____

Address _____ City _____ State _____ Zip _____

If you hold the license as a CORPORATION or LLC, provide the following information.

Officer / Member _____ Title _____

Officer / Member _____ Title _____

If you hold the license as a PARTNERSHIP, provide the following information.

Information about additional partners may be attached on a separate sheet.

Number of partners _____

Check here if your partnership is LESS than one year old.

Name _____ Social Security Number (optional) _____

Address _____ City _____ State _____ Zip _____

Name _____ Social Security Number (optional) _____

Address _____ City _____ State _____ Zip _____

By submitting this form you authorize Holloway Credit Solutions, LLC ("HCS") to obtain credit reports as needed or required by the State of Alabama, Home Builders Licensure Board. You also authorize HCS to contact additional references to provide us with information regarding their credit experience with you or your company. HCS shall not be liable to you or your company for any loss resulting from said reports and their preparation, including but not limited to loss of business or contracts from information contained in the reports. HCS shall use all reasonable efforts to make sure that all the information within the reports is accurate in accordance with the terms of this agreement. HCS will provide you, your company and/or each partner with a copy of the report along with an information sheet to help you interpret the information on the report and how to handle any discrepancies.

Signature _____ Title _____ Date _____

Method of Payment

Please select the method of payment you prefer. Payment must be received to release your report.

If paying by credit card, to avoid duplication of charge do not mail application after faxing.

American Express

VISA

MasterCard

Check or Money Order

Cardholder's Name _____ Billing Address _____

Account Number _____ Card Verification Number _____ Expiration Date _____