

ON THE LEVEL

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



Roofers Renewals Move Online in October

For the first time since the Board began issuing roofers licenses, roofers will be able to renew their license online via the Board's website, beginning on October 1st.

If you do not have internet access, you will still be able to request a paper renewal application. You must also demonstrate proof of your financial

responsibility via a roofers bond. Surety and insurance companies mail the Continuation Certificates for your roofers bond directly to you, not to the Board.

As such, you are responsible for providing either a Continuation Certificate or a new roofers bond with your 2023 renewal application. Do not forget to send your continuation



certificate. And don't forget continuing education! Unless you are exempt, six (6) hours of continuing education are Required before a 2023 renewal license can be issued.

For more information, please visit our website at www.hblb.alabama.gov. ▲

Ready to Renew? Need Username and Password

Don't get caught unprepared to complete your renewal application online! Before you begin, be sure to have available your Username and Password that were entered when the online account was created.

Don't remember the Username?

Not a problem. Just click Forgot Username. Enter the License Number to be renewed, and the Email Address on record of the licensee. Click Submit and the Username will be emailed to the email address entered.

Don't remember the Password?

Not a problem. Just click Forgot Password. Enter the Username and License Number to be renewed and click Submit. Answer the Security

Questions. [Hint! The answers are case sensitive and must be entered exactly as when the online account was created.] Click Submit and an email will be sent with a temporary password. Return to the Login page, enter the Username and Temporary Password to log in to the Dashboard. Once at the Dashboard, be sure to reset your password to a permanent one that you can remember and use in the future.

First time renewing online and don't have an online account?

Not a problem! Just click Create Account. Enter the License Number to be renewed and the last four digits of your social security number, if you're an individual licensee, or of the individual that serves as the DQR for a corporate

licensee. From there, just follow the instructions to create a Username and Password [Hint! The Username can be whatever you want it to be but the Password must have 1 number, 1 upper case letter, 1 lower case letter, 1 special character (ex. !, #, \$, ^, %) and be at least 8 characters long]. Select and answer 3 security questions [Hint! Answers ARE case sensitive], that can be used in the future to recover your password. Click Save and then the link to return to the Login page to use your newly created login credentials!

As always, if you have any problems, please do not hesitate to contact the Board offices. Anyone in the office should be able to assist you and, if not, they'll find someone that can! ▲

HBLB Building Dedicated to State Rep. Howard Sanderford

During its February meeting, the Home Builders Licensure Board voted to dedicate the agency's building to retiring State Representative Howard Sanderford from Huntsville, Madison County. The Board's action followed Act 2022-12 of the Alabama Legislature and signed by Governor Kay Ivey – all recognizing him for over 30 years of elected public service on behalf of the citizens of Alabama.

Representative Sanderford was first elected to represent the 20th District in the Alabama House of Representatives in 1989. During his years of service, his role as Chairman of the House Boards, Agencies and Commissions Committee as well as Co-Chair of the Joint Legislative Sunset Committee are where he had the greatest impact and support of the home building industry.

He has been a tireless advocate, giving special attention to opportunities to enhance the quality of services by regulatory agencies (to both consumers and affected professions) while simultaneously promoting agency financial independence. His leadership and guidance are why the Board and other regulatory agencies are able to safeguard professions and livelihoods

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From left: Jason Reid, HBAA Vice President of External Affairs; Russell Davis, HBAA Executive Director; State Rep. Howard Sanderford and Chip Carden, HBLB Executive Director

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and provide consumer protection as intended by the legislature.

Sanderford sponsored the legislation that allowed the Board to construct and own its current building at 445 Herron Street. This action alone was incredibly invaluable for the agency during tough economic times.

In 2021, as the state continued to be impacted by the Covid-19 pandemic, Representative Sanderford recognized that the licensing laws needed updating to help small and family-owned businesses keep their doors opened. The problem was the law did not allow clear transition time for companies when the licensed individual passed away. In the middle of the 2021 legislative session, he marshaled construction regulatory boards to rewrite the law to provide family businesses a clear path in the regulatory process to keep working when the license holder passed away or became physically or mentally unable to keep working.

Prior to his election and over thirty years of legislative service, Mr. Sanderford began his professional



Rep. Howard Sanderford

career as an executive for IBM in Huntsville. He retired from there in 1987 and founded Computer Leasing Company, Inc., which he is still president of today. Originally from Meridian, Mississippi, Mr. Sanderford earned a Bachelor of Science in Accounting degree from Mississippi State University and proudly served in the United States Marine Corps.

Because of his many years of public service as a state representative and legislative leader, a strong advocate for always making good government even better, and a friend to the home building industry, the Board is proud to dedicate its building to Representative Howard Sanderford. ▲

Building Officials Corner: *Reporting Unlicensed Builders*

Unlicensed builder investigations sometimes begin with a tip from building officials. The Home Builder Licensure Law requires building officials to deny permit applications and report violations to the Board. (Ala. Code Section 34-14A-13).

There are a couple of ways to report unlicensed builders to the Board. One way is to call the builder watch hotline at (800) 304-0853. The other way is to submit a written tip by email, fax, or snail mail. The tip form is located on the Building Officials section of the Board's website at

<https://hblb.alabama.gov/building-officials/>. Once the tip is received the investigation will promptly be assigned to an investigator who will make contact when the investigation begins. The Board's five investigators are investigating 70 unlicensed builders and 90 consumer complaints involving licensees.

The Board is forever grateful for the assistance of building officials in accomplishing its mission of protecting consumers and continues to encourage reporting unlicensed builder activity to the Board. ▲

Make Sure You've Got Your Continuing Education to Renew Your License

Last renewal season, the Board began requiring all active licensees to complete six (6) hours of continuing education before being issued a renewal license.

Two of the six hours must be Alabama specific and are noted in red on the Board's website. For a list of approved courses, visit our website at <https://hblb.alabama.gov/continuing-education/>. Once there, click available courses to see a list of approved providers and courses. The provider will notify the Board when continuing education is complete. Therefore, licensees are not required to report completed continuing education to the Board.

Licensees must take courses approved by the Board. However, if a licensee takes a course not approved by the Board, the licensee can submit a request for non-traditional approval with a fee of \$50.00. Upon receipt, the Board will review the course(s) and determine whether the course(s) can be accepted as continuing education.

The Board requires continuing education to promote industry professionalism. Continuing education increases knowledge and earning potential. Knowledge about current trade practices and new technology is invaluable. Therefore, the Board encourages licensees to take a variety of courses and not to repeat

courses. For your convenience, Board staff has compiled a list of frequently asked questions.

Frequently Asked Questions:

I'm a roofer. Do I have to complete continuing education?

Yes. All licensees must complete the six (6) hours of continuing education before a renewal license can be issued, no matter what type of license they hold.

Must I complete the continuing education before I submit my renewal application?

No. The Board begins accepting renewal applications on October 1st. However, the Board recommends completing continuing education before October 1st to avoid a delay in the issuance of your renewal license. The Board will not issue the renewal license until the continuing education and other requirements are met.

Who must complete the continuing education or claim the age exemption for a corporate entity?

The designated qualifying representative must complete the continuing education or claim the age exemption for a corporate entity.

If I claim the age exemption or complete continuing education, must I still submit a renewal application?

Yes. The continuing education is a requirement that must be met before the renewal process is complete and a license can be issued.

What must I do to claim the first-time exemption?

No action is required to claim the first-time exemption.

If I hold an inactive license, must I complete continuing education?

No. However, to return to active status, continuing education must be completed.

Can you recommend a course?

No. The Board cannot recommend one course or provider over another. All courses, instructors, and providers approved by the Board are listed on the Board's website.

For more information, please visit the Board website at www.hblb.alabama.gov and click continuing education. ▲

Board Thanks Retiring Chief Investigator John Ray

The Alabama Home Builders Licensure Board recognized retiring Chief Investigator John Ray for his 21 years of service to the Board at its May meeting. Board chairman Bill Deloney presented John with a special commendation from Governor Kay Ivey recognizing his public service.

John joined the Board as an investigator in February 2001. John distinguished himself throughout his over 21 years of service as a dedicated employee who always took his responsibilities seriously to protect consumers. He became the Chief Investigator in December 2019.

The cases John investigated whether unlicensed builders or licensed builders, numbers well into the thousands. He worked with state and federal law enforcement and prosecutors to bring to justice persons who took advantage of homeowners. John spent untold hours in every corner of the state knocking on doors, handing out consumer pamphlets, and speaking to homeowners and local officials to prevent scammers from taking advantage of people whose lives and homes were devastated by storms.

John has spent countless hours training, mentoring, and working with his peers both at the Board and



From left: Board members Don Spurlin, Michael Toles, Ken Kirchler, Board Chairman Bill Deloney, Chief Investigator John Ray, Board Members Randy Cunningham, Kenneth Chandler, Peggy Turner and Lynn Corder

other regulatory agencies. John has always gone above and beyond to help others to be better investigators.

John proudly served our nation as a member of the United States Marine Corps from August 1978 through August 1982 with an honorable discharge. Since that time, his professional career has been dedicated to the field of residential

construction from residential contractor to Board investigator.

John also served as the building official for the town of Springville, St. Clair County Alabama from June 1997 until February 2001, when he came to the Board.

Thank you for your years of service to the Board and congratulations upon your retirement! ▲

Residential Solar Panel Installation: *Unlimited License Required*

Thinking about installing solar panels on residences? If so, you will need a home builders license. For the installation of solar panels on a residential structure where the cost of the undertaking exceeds \$10,000 or \$2,500 when the panels are installed on the roof, an unlimited license issued by the Board is required.

The Alabama Home Builders Licensure Board issued this advisory opinion in February 2022 in response to a formal request and following numerous informal inquiries. In recent years, there has been a significant increase in homeowners wanting to make such investments in their homes for cost-savings, energy independence and tax incentives. As the trend has caught on in Alabama as in other states, several companies have expanded their operations to meet the growing interest and need.

Again, Alabama is not alone in having to evaluate what regulatory oversight is necessary for this growing trend for homeowners to improve and enhance their residence with the addition of solar panels.

That said, the Board thought it important to provide guidance for local building officials, solar panel installation contractors, and consumers regarding if a license is required for solar panel installation, and if so, what type.

“The legislature established the board for consumer protection as it relates to residential construction,” said Board Chairman Bill Deloney. “With homeowners more interested in this type of improvement and investment in their homes, the board needed to provide this guidance.”

Improvement is a key word in the analysis and reasoning for why a license is required. An improvement is defined as “Any site-built addition or enhancement attached or detached from a residence or structure for use and enjoyment by the homeowner” Ala. Code §34-14A-2(5).



Further, the term repair, improvement, or reimprovement is defined in part as “engaging in the business of residential home building by contracting directly with a homeowner to perform construction on a residence or structure, when the cost of the undertaking exceeds \$10,000, and when the construction does not affect the structural integrity of a residence or structure, or does not involve more than one trade.” Ala. Admin. Code r. 465-X-1-.01(9) (emphasis added).

And the term “residential roofing” as used in these rules shall mean installing products or repairing surfaces on the external upper covering of a residence or structure that seals, waterproofs, or weatherproofs the residence or the structure, when the cost of the undertaking exceeds \$2,500. Ala. Admin. Code r. 465-X-1-.01(10).

The analysis when applying the law and regulations to the formal request and/or the consistent facts presented by those who requested informal guidance easily points to the need for a license. Residential solar panel installation

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COMPLIANCE CORNER

Loaning Your License Not Worth the Risk

License loaning. Helping a friend in a rush to get a permit. A friend is in a bind, so I'm helping them to finish a job. I was just helping however I could because people's homes were storm damaged.

We can go on and on, but no matter the justification, when a licensed homebuilder obtains a permit for an unlicensed builder, you are license loaning and breaking the law. At a minimum, when a licensed homebuilder does this, it is misconduct. The definition of misconduct includes "...purchasing building permits for unlicensed builders, or otherwise assisting unlicensed builders in the business of

residential home building through the use of its license." Ala. Admin r. 465-X-1-.01(8). Because the need to get a permit is a part of the process of homebuilding, you may also be in violation of the requirement to have a valid written contract with the homeowner. Even worse, because you are not the actual contractor performing the work, you falsify the local government document(s) (application and permit) and could be subject to penalty from the local jurisdiction. And even worse than that, the friend you were helping, who was unlicensed, was so incompetent and did so much wrong to the house, the homeowners sue him and you for enabling him. Your friend is now long gone, and you are suffering the legal and financial ruin

for helping your so-called friend. The Board has seen all of this happen too many times!

Aiding an unlicensed builder this way is wrong! It is harmful to the profession, and it can have downright devastating consequences for homeowners and you! That is why the Home Builders Licensure Board has a zero tolerance for licensed builders loaning their licenses in this way. The Board has set an automatic fine of \$5,000 for a first offense.

So, the next time that friend is in a rush and needs you to get the permit, STOP! Maybe tell your friend they need to get licensed. But do not loan your license! ▲

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consistently includes: (1) the cost of the undertaking exceeds \$10,000; (2) the process involves the installation, and/or attachment of the solar panels to the residence, and as such, meets the definition of an improvement. In most if not all instances, the installation and/or attachment of the solar panels have been upon the residential roof and falling within the definition of residential roofing; (3) the process has involved full connection and/or preparation for full connection of the solar panel(s) system to that of the residential electrical system for live connectivity; and (4) installation of the solar panels upon the residential roof may impact structural integrity of the roofing system.

Conclusion: to install solar panels on a residential structure, a contractor needs an unlimited home builders license. The work involves two or more trades and very often will impact in some way the structural components of the roof itself.

"If you are going to install solar panels on houses in Alabama, you've got to have a home builders license," said Board Executive Director Chip Carden. "As I always encourage homeowners, before you hire a contractor for this type of project or any work on your home, ask to see the card."

For more licensing information or to read the full advisory opinion, go to www.hblb.alabama.gov. ▲



HOME BUILDERS
LICENSURE BOARD

www.hblb.alabama.gov

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

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Builder Watch
Hotline

1-800-304-0853

Protect Alabama Consumers
and Your Industry.

Report Unlicensed Builder Activity!

(All calls will remain anonymous.)