

**553-3-.01 Licensure Requirements for an Individual to Practice as a Residential-Basic Contractor in the Individual's Own Name or Doing Business as an Individual in a Trade Name or as a Sole Proprietorship.**

(1) An individual person seeking issuance of a Georgia license in his or her own name for purposes of engaging in the profession of residential-basic contracting in his or her own name or doing business as an individual in a trade name as a sole proprietorship shall file an application on a form provided by the residential contractor division, accompanied by an application fee as provided by the board.

(2) Additionally, such applicants must submit to and successfully pass an examination prepared by the residential contractor division, except where an applicant is otherwise qualified for licensure and has satisfied the residential contractor division requirements and regulations for licensure pursuant to Code Section 43-41-8 exempting such applicant from the examination requirement.

(3) A person shall be eligible for licensure as a residential-basic contractor by the residential contractor division if the person:

(a) Is at least 21 years of age;

(b) Is of a good character and is otherwise qualified as to competency, ability, and integrity;

(c) Has at least two years of proven experience working as or in the employment of a residential contractor, predominantly in the residential-basic category, or other proven experience deemed substantially similar by the division; and

(d) Has had significant responsibility for the successful performance and completion of at least two projects falling within the residential-basic category in the two years immediately preceding application.

(e) In order to satisfactorily prove (a), (b), (c) and (d) above, each applicant must swear on the application for licensure that the applicant satisfies each requirement and submit satisfactory proof of such when and where directed to do so by the application. In completing and submitting the application to the residential contractor division, the applicant consents to the division performing a background check, including a criminal history, on the applicant if the division so chooses.

(4) Before being entitled to take an examination or otherwise qualify for issuance of a license, an applicant must show to the satisfaction of the residential contractor division from the application and proofs furnished that the applicant is possessed of a good character and is otherwise qualified as to competency, ability, integrity, and financial responsibility. The application shall include a list of all persons, entities, and business organizations that the applicant will be affiliated with as a licensed residential-basic contractor, whether by way of employment, ownership, serving as an owner or director, partnership, or membership or by serving as a qualifying agent under this chapter. Additionally, all applicants shall provide satisfactory proof of general liability insurance

of not less than \$300,000 for the residential-basic category and satisfactory proof of workers' compensation insurance as required by the laws of this state in their name. All applicants shall also provide their social security numbers. The decision of the residential contractor division as to the qualifications of applicants shall be conclusive. A certificate by the insurer or other appropriate evidence of such coverages shall be maintained with the residential contractor division and shall be a condition of renewal. A licensee, on his or her own behalf, must notify the residential contractor division in writing within 30 days of any changes in the information required to be on file with such division, including, but not limited to, the licensee's current mailing address, insurance coverages, and affiliated entities.

(5)(a) The residential contractor division shall conduct an examination of all qualified applicants, except those exempted from the examination requirement pursuant to Code Section 43-41-8.

(b) The residential contractor division shall conduct an examination for applicants for residential-basic licenses for the purpose of determining a particular applicant's ability to make a practical application of his or her knowledge of the profession of residential-basic contracting; the applicant's qualifications in reading plans and specifications; his or her knowledge of building codes, estimating costs, construction, ethics, contracting, and other similar matters pertaining to such residential-basic contracting business; his or her knowledge as to the responsibilities of a residential-basic contractor to the public and to owners, subcontractors, and suppliers; and his or her knowledge of the requirements of the laws of this state relating to residential-basic contractors, construction, workers' compensation, insurance, and liens.

(c) If the results of the applicant's examination are satisfactory to the residential contractor division, or he or she is exempted from the examination requirement under Code Section 43-41-8, and if he or she has met the other qualifications and requirements set forth in this Code section, then the residential contractor division shall issue to the applicant a license to engage in business as a residential contractor in this state, as provided in such license, in his or her own name as a sole proprietor, pursuant to and in accordance with the requirements set forth in Code Section 43-41-9. The residential contracting license shall indicate that the licensee is qualified as residential-basic.

(6) Any otherwise qualified applicant failing this examination may be reexamined at any regularly scheduled examination within one year of the date of original application upon payment of a reexamination fee, in an amount to be set by the board, without need to resubmit an application, unless any information set forth in the previously submitted application is no longer accurate or complete. Anyone requesting to take the examination a third or subsequent time shall wait at least one calendar year after the taking of the last examination and shall submit an application with the appropriate examination fees.

(7) A residential-basic contractor license shall be issued to an applicant who successfully completes the requirements therefore upon the payment of fees prescribed by the board.

Authority O.C.G.A. Secs. 43-41-5, 43-41-6. **History.** Original Rule entitled "Licensure Requirements for an Individual to Practice as a Residential-Basic Contractor in the Individual's Own Name or Doing

Business as an Individual in a Trade Name or as a Sole Proprietorship” adopted. F. Oct. 14, 2005; eff. Nov. 3, 2005.