

# ON THE LEVEL

A Service of the  
State of Alabama  
Home Builders  
Licensure Board  
FALL 2015



HOME BUILDERS  
LICENSURE BOARD  
www.hblb.alabama.gov



## Licensure Board Welcomes New Members

The Home Builders Licensure Board has benefited from long term continuity of leadership over the years it has been in existence. The composition of the Board remained relatively constant until 2009. Since then, seven of the nine board members have changed due to retirement, career change and passing away. Recently, three new Board members have been appointed adding new depth and breadth to the Home Builders Licensure Board for years to come.



Ken Kirchler

**Ken Kirchler** of Auburn Alabama was appointed by Speaker of the House Mike Hubbard as the Congressional District Three Representative and builder member of the Board following the death of inaugural Board member Don Nolan in 2013. Mr. Kirchler is a Birmingham native who grew up in the building business with his brick mason/builder father and graduated from Auburn in 1981 with a degree in Building Science.

Ken owns Kirchler Construction Company specializing in custom homes, The Cabinet Works LLC, a cabinet company selling and installing custom cabinets, and is a licensed home inspector working in and around the Auburn area. Ken has served his community as chairman of the local Habitat for Humanity, Christmas In April, and served for years in multiple leadership roles for the Lee County HBA and is a Life Director for the National Association of Home Builders.

**Thomas L. "Lynn" Corder** of Tuscaloosa, Alabama, was appointed on July 25, 2014, by Governor Robert Bentley as the Congressional District Seven Representative and builder member of the Board following departure and completion of service of inaugural Board member John Parker. Lynn started off in the construction industry as a carpenter who grew into owning his own trim business and built his first home in 1985. He has been



Thomas L. "Lynn" Corder

a co-owner of the Builders Group of West Alabama since 1989 and specializes in new home construction and subdivision development. Lynn has served in many local and state HBA leadership roles and received numerous industry awards for his service. He has served as trustee for the Alabama Center for Real Estate since 2012, on the Board of Directors for Hospice of West Alabama, and has been actively involved with Give Tuscaloosa, a charitable tornado relief organization since 2011.

**Roddy O. Sample** was appointed by Lieutenant Governor Kay Ivey on July 7, 2014 as the Congressional District Six Representative and builder member of the Board following the departure and completion of service of inaugural Board member Jim Mitchell. Roddy got his start in the construction industry when he was, in his words, "big enough to sweep". Roddy has done just about every job on a construction site from cleanup to large architectural remodeling projects. He serves the industry through multiple leadership positions with the HBA at local, state, and national levels. Roddy is an instructor for the National Association of Home Builders Educational Designation Program. For the first time in the 23 year history of the Board, Roddy has the distinction of being the first full time remodeler appointed to the Board. ▲



Roddy O. Sample

# State Mandated Costs Plus Lower License Numbers Equals First Fee Increase in 18 Years

Over the past few years, mandated costs by the State of Alabama have been steadily on the increase. Statewide electronic program upgrades and the existing cost of using state providers for certain goods and services in addition to a decrease in licensed home builders has forced the Home Builders Licensure Board to raise its annual license fee for the first time in 18 years.

## ADMINISTRATIVE REGULATIONS AMENDED: FIRST FEE INCREASE IN 18 YEARS

For the first time in 18 years, the Board has amended the fee section of the administrative regulations, Ala. Admin. Code r. 465-X-4-.04, to increase the annual license fee. The annual license fee has been increased to \$235. With the \$15 homeowners' recovery fund fee, the total amount payable for your license annually will be \$250 beginning October 1, 2015. Please take a moment to read the article here on pages 2 and 3. The article sets out the compelling reasons the Board had to increase its fees. In short, this fee increase is the result of state mandated costs and assessments coupled with a significant decrease in numbers of the Board's only funding source, its licensees.

The following is an excerpt from the Board's administrative regulations with the amended language in italics. A full copy of the Board's administrative regulations can be found on the Board's website at [www.hblb.alabama.gov](http://www.hblb.alabama.gov).

**465-X-4-.04 Fees.** Fees shall be as follows:

- (1) **Annual License Fee. 190.00**  
This fee must accompany the initial application for a license and each annual license renewal application.  
*Beginning October 1, 2015, this fee will be \$235.00.*
- (2) **Annual Homeowners' Recovery Fund Fee. 15.00**  
This fee must accompany all license applications and license renewal applications.
- ...
- (5) **Inactive Fees. 100.00**  
This fee must accompany an application for an inactive license and each renewal inactive license application. Building officials applying for or renewing an inactive license are exempted from this fee.  
*Beginning October 1, 2015, this fee shall be \$125.00.*

The increase in the annual fee will affect new and renewal active and inactive total fees, and expired active and inactive total fees in the following amounts:

<b>New Active License</b> .....	Total fee: <b>\$350.00</b>
<b>New Inactive License</b> .....	Total fee: <b>\$125.00</b>
<b>Renewal Active License</b> .....	Total fee: <b>\$250.00</b>
<b>Renewal Inactive License</b> .....	Total fee: <b>\$125.00</b>
<b>Expired Active License</b> .....	Total fee: <b>\$545.00</b>
<b>Expired Inactive License</b> .....	Total fee: <b>\$175.00</b>

**F**irst, let's talk about how regulatory boards are funded. Regulatory boards operate on the revenue provided by thousands of small businesses across the state when they purchase their professional licenses. The Home Builders Licensure Board (HBLB or the Board), like most regulatory boards in the State of Alabama, operates on the fees we collect during the year; we are not given any money from the General Fund. State law requires regulatory boards to make a budget request for each fiscal year and receive an appropriation just like state departments and agencies that receive money from the General Fund. This appropriation is not in the form of funding or tax dollars allotted to each board, but rather gives the boards the authority to spend a set amount of money each year, which the boards must generate. If the Board doesn't generate enough revenue to meet its operating budget, which is the amount of its appropriation, it simply does without by cutting expenses.

**What does all this funding talk have to do with state mandated costs?** Lots! Since small businesses fund the operations of regulatory boards, it is imperative that we be "Good Stewards" of the funds we receive from them and be diligent in keeping our costs as low as possible. Here's where the mandated costs come into play. The State of Alabama requires all state agencies to use goods and services that are provided by other state agencies, such as information technology (IT) services, mailing services, gasoline, electronic accounting programs, and so on. Unlike regulatory agencies, which are funded by their licensees, the agencies providing many of the goods and services we are required to use rely on the cash-strapped General Fund for their operational budgets. Needless to say, their funding is inadequate so they rely on other

state agencies to pay them for their goods and services, and pay at a premium.

For example, for every piece of mail that leaves the Board's office, the HBLB is required to pay a 15% premium on top of normal USPS postage rates to fund the agency in charge of the state mail room. Even if we use a mailing service for mass mailings, and the mail never goes through the state mailroom, the Board pays 15% of its cost to the state mailroom. Internet service is another good example. The Board is required to use an internet service provided by the state at a cost to this agency of \$880 per month. If the Board were permitted to use the open market, our costs would be about \$200 per month, over four times less than what we pay now. Last and certainly not least is the STAARS program and upgrade. STAARS is the State of Alabama Accounting and Resource System, a multi-million dollar accounting system and software upgrade. The pro-rata cost of STAARS has been passed to each agency that uses the state's accounting system in the form of an assessment that the HBLB and other regulatory boards are required to pay, rather than being paid from the General Fund as a state-wide cost of doing business. Payment of this assessment for the STAARS program does nothing to help the Board protect the public from dishonest, unscrupulous and unlicensed contractors, or raise the level of professionalism in the industry. It is simply an upgrade to the

State's accounting system that we are required to use, and the cost gets passed on to you when you purchase your license.

Requiring goods and services to be purchased at a premium from under-funded state agencies and departments, and then assessing boards for huge, nonproductive statewide upgrades with limited open market access, makes it impossible for regulatory boards to keep their costs low. The HBLB survived the housing depression that began in 2008 by tightening its belt, much like you, and is still feeling the lingering effects of that depression today. The HBLB's main funding source, its licensees, shrank from 12,000 in 2007 to just over 8,000 today; the HBLB lost a full 1/3 of its licensees due to the economy. The Board currently has less staff than it did in 1998. It has only 3 full-time and 1 part-time investigator in the field, down from 6 full-time investigators. The HBLB has not raised its license fee for 18 years.

Couple economically-driven funding loss with the state's requirement to pay huge assessments and to use state agencies and departments for the purchase of goods and services, and you have a perfect formula for creating a higher cost of doing business. State regulatory boards were designed to be self-supporting and self-funding to fulfill their statutory responsibilities. They were not created to be a revenue source for the rest of the state, with the cost to be loaded on the backs of small business professionals like you. ▲

## DEFEND YOURSELF! Prevent Losing Your License — ALL of Your Licenses

Did you know that if the Board makes a payment from the Homeowner's Recovery Fund, the Board can revoke not only the license of the individual or business for which the payment was made, but can also revoke the individual license of the business's DQR and the licenses of any other businesses with the same DQR?

So, for example, if the Board makes a Recovery Fund Payment on behalf of your business, it can revoke the license of your business, as well as the individual license of the DQR of your business, AND the license of any other business for which the same individual serves as DQR. (See the Board's Administrative Regulation 465-X-7-.04).

The best way to protect yourself and your fellow licensees is to defend yourself in court when you are sued. Failure to defend yourself can result in a default judgment against you and/or your business, which can trigger payment from the Recovery Fund. A default judgment against you or your company does not protect you, or others who depend upon you. ▲



## SMITH LAKE LICENSE CHECK

The Board's three full-time investigators, Todd Betts, Stephen McCullough, and John Ray, and Executive Director Chip Carden checked licenses on Smith Lake in June. Using pontoon boats, they checked over 50 jobs in one and a half days. That's covering a lot of ground.

Of the 50 plus jobs that were checked, only one resulted in the identification of an unlicensed builder. The other jobsites were manned by licensed builders, many of whom were proud to pull out their licenses to show our investigators. Good work all the way around. ▲



# DISCIPLINARY ACTIONS

Not Previously Reported

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## JOEY LYNN MASTERSON

Phil Campbell, AL

**Date of Action:** March 28, 2013

**Disposition:** Licensee was charged with violations of Ala. Code § 34-14A-8 (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$2,000 administrative fine.*

## RODREECAS D. BROWN

Montgomery, AL

**Date of Action:** March 28, 2013

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,000 administrative fine and to complete 18 hours of builder education classes.*

## CECIL N. DEAN

Alexander City, AL

**Date of Action:** April 25, 2013

**Disposition:** Licensee was charged with violations of Ala. Code § 34-14A-8 (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$3,000 administrative fine.*

## McMICHAEL & PARRISH HOMES, LLC

David Lee McMichael, designated qualifying representative  
Chelsea, AL

**Date of Action:** April 25, 2013

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,500 administrative fine.*

## D. R. HORTON, INC.- BIRMINGHAM

Calvin Andrew Cowan, designated qualifying representative  
Birmingham, AL

**Date of Action:** June 27, 2013

**Disposition:** Licensee was charged with violations of Ala. Code § 34-14A-8 (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$5,000 administrative fine.*

## MARILYN H. MADDOX, P.C.

Marilyn H. Maddox, designated qualifying representative  
Birmingham, AL

**Date of Action:** June 27, 2013

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$2,500 administrative fine and to complete a 6-hour builder education class.*

## ANTHONY WESLEY

Hueytown, AL

**Date of Action:** June 27, 2013

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975), with a violation of § 34-14A-7(e) in that licensee engaged in the business of residential homebuilding without utilizing a valid written contract, and with a violation of Ala. Admin. Code r. 465-X-3-.04(1)(c)3. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$3,000 administrative fine and to complete a 6-hour builder education class.*

## EXCEL CONSTRUCTION COMPANY, LLC

Robert L. Nelson, designated qualifying representative

Pike Road, AL

**Date of Action:** August 22, 2013

**Disposition:** Following an administrative hearing, the licensee was found guilty of misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). *By Order dated August 22, 2013, the Board suspended licensee's homebuilders license for 30 days and imposed an administrative fine of \$2,000.*

## WILLIE JAMES DARDEN

Tuscaloosa, AL

**Date of Action:** August 22, 2013

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-8 (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to complete a 6-hour builder education class.*

## JEREMY CHARLES GRIFFIN

Jemison, AL

**Date of Action:** August 22, 2013

**Disposition:** Licensee was charged with a violation of the Board's administration regulations, Ala. Admin. Code r. 465-X-3-.04(1)(c)3, and with a violation of Ala. Code § 34-14A-7(e) (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,500 administrative fine and to complete a 6-hour builder education class.*

## JEFFEREY WILLS

Alabaster, AL

**Date of Action:** August 22, 2013

**Disposition:** Licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975) and a violation of the Board's administrative regulations, Ala. Admin. Code r. § 465-X-3-.04(2)(b)2. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,500 administrative fine.*

**BROOKSTONE  
CONSTRUCTION  
COMPANY, INC.**

Ali Tajmir, designated  
qualifying representative  
Birmingham, AL

**Date of Action:** August 22, 2013

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-8 (1975) in the practice of residential home building, and a violation of the Board's administrative regulations, Ala. Admin. Code r. § 465-X-3-.04(b)2. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee voluntarily surrendered the license and the surrender shall have the same effect as a revocation of the license. Any and all rights, title and privileges of practicing residential home building in the State of Alabama was revoked.*

**RAYSHE BUILDERS  
& REPAIRS, LLC**

Rayford H. Campbell, Jr., designated  
qualifying representative  
Mobile, AL

**Date of Action:** August 22, 2013

**Disposition:** Licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$500 administrative fine.*

**HOME RENEWERS  
CORPORATION**

Michael J. Walley, designated  
qualifying representative  
Mobile, AL

**Date of Action:** August 22, 2013

**Disposition:** Licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975) and a violation of the Board's administrative regulations, Ala. Admin. Code r. § 465-X-3-.04(2)(b)2. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$3,000 administrative fine and to complete a 6-hour builder education class.*

**SOUTHERN HOME  
SYSTEMS, LLC**

Timothy Stephen Peter, designated quali-  
fying representative  
Dothan, AL

**Date of Action:** August 22, 2013

**Disposition:** Licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975), a violation of the Board's administrative regulations, Ala. Admin. Code r. § 465-X-3-.04(1)(c)2, and a violation of Ala. Code § 34-14A-7(e). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$2,000 administrative fine and to complete a 6-hour builder education class.*

**SOUTHERN BUILDERS, LLC**

David B. Jones, designated qualifying  
representative  
Springville, AL

**Date of Action:** August 22, 2013

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-8 (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,000 administrative fine.*

**WAYNE LIVINGSTON  
CONSTRUCTION, LLC**

M. Wayne Livingston, Sr., designated  
qualifying representative  
Oxford, AL

**Date of Action:** August 22, 2013

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$500 administrative fine.*

**CURTIS WHITE  
COMPANIES, INC.**

Joseph C. White, designated qualifying  
representative  
Leeds, AL

**Date of Action:** September 26, 2013

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-8 (1975) in the practice of residential home build-

ing. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to complete two (2) 6-hour builder education classes.*

**RUSERT HOMES, LLC**

Jeffrey M. Rusert, designated  
qualifying representative  
Birmingham, AL

**Date of Action:** September 26, 2013

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$2,000 administrative fine.*

**PATRICK M. WALDROP**

Springville, AL

**Date of Action:** October 24, 2013

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to complete a 6-hour builder education class.*

**STEPHEN PAUL CLEGHORN**

Arley, AL

**Date of Action:** October 24, 2013

**Disposition:** Licensee was charged with two counts of misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee voluntarily surrendered the license and the surrender shall have the same effect as a revocation of the license. Any and all rights, title and privileges of practicing residential home building in the State of Alabama was revoked.*

**RODREECAS D. BROWN**

Birmingham, AL

**Date of Action:** October 24, 2013

**Disposition:** Licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee*

*(Continued on page 6)*

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## DISCIPLINARY ACTIONS

Continued from page 5

*agreed to a 90-day suspension of the license and the imposition of a \$2,000 administrative fine.*

### GREG SMITH CONSTRUCTION, INC.

Greg Smith, designated qualifying representative  
Trussville, AL

**Date of Action:** October 24, 2013

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *The Board admonished the licensee of its duty, as a licensee of the Board, to properly supervise subcontractors and to perform in a reasonable manner under the standard used in the community for residential home building, including timely responding to concerns raised by the homeowners with whom it contracts.*

### JOHN D. WRYE

Daphne, AL

**Date of Action:** October 24, 2013

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-8 (1975), and with a violation of Ala. Code § 34-14A-7(e) (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$2,000 administrative fine and to complete two (2) 6-hour builder education classes.*

### NORTH ALABAMA ROOF- ING & RESTORATIONS, INC.

Mark W. Jewell, designated qualifying representative  
Killen, AL

**Date of Action:** November 21, 2013

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-8 (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,000 administrative fine and to complete a 6-hour builder education class.*

### MIKE ELROD BUILDERS, INC.

Michael B. Elrod, designated qualifying representative  
Sylvan Springs, AL

**Date of Action:** November 21, 2013

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$2,000 administrative fine.*

### CHRISTIAN CONTRACTORS, INC.

Charles F. Arocha, designated qualifying representative  
Huntsville, AL

**Date of Action:** November 21, 2013

**Disposition:** Licensee was charged with one (1) count of gross negligence and three (3) counts of misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$6,000 administrative fine and to complete a 6-hour builder education class.*

### A J & SONS CONSTRUCTION, LLC

Michael Jason Picklesimer, designated qualifying representative  
Montevallo, AL

**Date of Action:** December 19, 2013

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-15 (1975), in that the Board paid from the Homeowners' Recovery Fund an amount toward satisfaction of a judgment against the licensee. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee voluntarily surrendered the license and the surrender shall have the same effect as a revocation of the license. Any and all rights, title and privileges of practicing residential home building in the State of Alabama was revoked.*

### SPECIALIZED RENOVATIONS, LLC

Dustin D. Woods, designated qualifying representative  
Alabaster, AL

**Date of Action:** December 19, 2013

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-7(e) (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,000 administrative fine.*

### TARVER CONSTRUCTION COMPANY, INC.

Alto Tarver, III, designated qualifying representative  
Birmingham, AL

**Date of Action:** December 19, 2013

**Disposition:** Licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$2,000 administrative fine and to complete a 6-hour builder education class.*

### CLYDE ALLEN HUCKEBA

Oxford, AL

**Date of Action:** January 23, 2014

**Disposition:** Licensee was charged with a violation Ala. Code § 34-14A-8 (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *While the Board makes no formal finding of a violation of the Act regarding the alleged charge, the Board admonishes the builder of his duty, as a licensee of the Board, to perform in a manner reflecting a genuine regard for the rights, safety, or welfare of homeowners. As a licensee of the Board, the builder should always strive to the best practice when performing residential construction activities, including respecting a consumer's right to be notified of risks that might affect health and safety.*

### PAT RATLIFF CUSTOM HOMES, INC.

Pat Ratliff, designated qualifying representative  
Oneonta, AL

**Date of Action:** February 20, 2014

**Disposition:** Licensee was charged with violations of Ala. Code § 34-14A-8 (1975) in the practice of residential home

building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to complete two (2) 6-hour builder education classes.**

### **QUALITYCRAFT CONSTRUCTION, LLC**

**Theresa Frances Marvin**, designated qualifying representative  
Montgomery, AL

**Date of Action:** February 20, 2014

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$2,000 administrative fine and to complete two 6-hour builder education classes.**

### **BUILDER SYSTEMS, LLC**

**Charles M. Kitchen**, designated qualifying representative  
Chelsea, AL

**Date of Action:** February 20, 2014

**Disposition:** Licensee was charged with two (2) counts of incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975), and with a violation of Ala. Code § 34-14A-7(e) in that licensee engaged in the business of residential homebuilding without utilizing a valid written contract. Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$1,000 administrative fine and to complete a 6-hour builder education class.**

### **KSH CONSTRUCTION, LLC**

**Kelly Scott Higdon**, designated qualifying representative  
Birmingham, AL

**Date of Action:** March 27, 2014

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$1,000 administrative fine and to complete a 6-hour builder education class.**

### **PREMIER PROPERTIES, LLC**

**Dan Scott**, designated qualifying representative  
Daphne, AL

**Date of Action:** March 27, 2014

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$2,500 administrative fine and to complete a 6-hour builder education class.**

### **STREET SIDE COMMUNITIES, INC.**

**Sandra Pike Steele**, designated qualifying representative  
Huntsville, AL

*And*

### **SANDRA P. STEELE**

Huntsville, AL

*And*

### **ENFINGER STEELE DEVELOPMENT, INC.**

**Sandra Pike Steele**, designated qualifying representative  
Huntsville, AL

**Date of Action:** March 27, 2014

**Disposition:** Licensees were charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensees agreed to the imposition of a \$2,000 administrative fine and to complete a 6-hour builder education class.**

### **CENTRAL ALABAMA HOME BUILDERS, LLC**

**Curtis L. Littleton**, designated qualifying representative  
Lawley, AL

**Date of Action:** March 27, 2014

**Disposition:** Licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$1,500 administrative fine.**

### **BLISSETT BUILDERS, INCORPORATED**

**Michael M. Blissett**, designated qualifying representative  
Dothan, AL

**Date of Action:** March 27, 2014

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$500 administrative fine and to complete a 6-hour builder education class.**

### **APOLLO PLUMBING & HEATING, INC.**

**John H. Bimbo**, designated qualifying representative  
Birmingham, AL

**Date of Action:** April 24, 2014

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-7(e) (1975) and with a violation of Ala. Code § 34-14A-1, et seq., (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$1,000 administrative fine.**

### **BAYSIDE PROPERTY CONSULTANTS, LLC**

**Steve Clifford Mears**, designated qualifying representative  
Daphne, AL

**Date of Action:** April 24, 2014

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-8 (1975) and with a violation of Ala. Code § 34-14A-7(e) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$1,000 administrative fine and to complete a 6-hour builder education class.**

### **QCC, INC.**

**Joseph F. Cooper**, designated qualifying representative  
Talladega, AL

**Date of Action:** May 22, 2014

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-8 in the

*(Continued on page 8)*

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## DISCIPLINARY ACTIONS

Continued from page 7

practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$500 administrative fine and to complete a 6-hour builder education class.**

### TONY A. PORCO

Anniston, AL

**Date of Action:** May 22, 2014

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$2,000 administrative fine and to complete 9.5 hours of builder education classes.**

### J. HYMAN HOMEBUILDERS, LLC

James Cochran, designated qualifying representative  
Headland, AL

**Date of Action:** May 22, 2014

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$1,500 administrative fine and to complete a 6-hour builder education class.**

### SOUTH BALDWIN CUSTOM HOMES, INC.

Thomas M. Martin, designated qualifying representative  
Headland, AL

**Date of Action:** May 22, 2014

**Disposition:** Licensee was charged with violations of Ala. Code § 34-14A-1, et seq. (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$2,000 administrative fine and to complete 12-hours of builder education classes.**

### SOHAIL QURESHI

Dothan, AL

**Date of Action:** May 22, 2014

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$1,500 administrative fine and to complete a 6-hour builder education class.**

### JAMES T. HALL

Spanish Fort, AL

**Date of Action:** May 22, 2014

**Disposition:** Licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$1,500 administrative fine.**

### ALLIED GENERAL CONTRACTORS, INC.

Thurman Thomas, designated qualifying representative  
Birmingham, AL

**Date of Action:** June 26, 2014

**Disposition:** Licensee was charged with violations of Ala. Code § 34-14A-8 (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$3,000 administrative fine.**

### CAROL R. SKELTON

Tuscaloosa, AL

**Date of Action:** June 26, 2014

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-8 (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$1,000 administrative fine and to complete a 6-hour builder education class.**

### PINNACLE CONTRACTING, LLC

Terry Bates, designated qualifying representative  
Birmingham, AL

**Date of Action:** June 26, 2014

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$2,000 administrative fine and to complete a 6-hour builder education class.**

### RSJC, INC.

Randy Campbell, designated qualifying representative  
Hazel Green, AL

**Date of Action:** August 28, 2014

**Disposition:** Following an administrative hearing, licensee was found guilty of incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). **By Order dated August 28, 2014, any right and/or interest licensee may have had in its homebuilders license was revoked and an administrative fine in the amount of \$2,000 was imposed.**

### A & C Homes, Inc.

Gary A. Denard, designated qualifying representative  
Warrior, AL  
And

### GARY A. DENARD

Warrior, AL

**Date of Action:** August 28, 2014

**Disposition:** Following an administrative hearing, licensee was found guilty of a violation of Ala. Code § 34-14A-15 (1975), in that the Board paid from the Homeowners' Recovery Fund an amount toward satisfaction of a judgment against the licensee. **By Order dated August 28, 2014, any right and/or interest licensee may have had in its homebuilders license was revoked; and, for any application for reinstatement of its license to be considered, the amount paid from the Homeowners' Recovery Fund must be repaid in-full plus interest at the rate of 12% per annum.**

### STEVEN VAUGHN CONSTRUCTION COMPANY, INC.

Stephen B. Vaughn, designated qualifying representative  
Southside, AL

**Date of Action:** August 28, 2014

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,000 administrative fine.*

### **RUSTMARK, LLC**

Russell A. Luccasen, designated qualifying representative  
Birmingham, AL

**Date of Action:** August 28, 2014

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$2,000 administrative fine and to complete a 6-hour builder education class.*

### **ARCO**

Debbie D. Cook, designated qualifying representative  
Alexander City, AL

**Date of Action:** August 28, 2014

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee voluntarily surrendered the license and the surrender shall have the same effect as a revocation of the license. Any and all rights, title and privileges of practicing residential home building in the State of Alabama was revoked.*

### **FAMILY HOME BUILDERS, LLC**

Jerry West, designated qualifying representative  
Florence, AL

**Date of Action:** August 28, 2014

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,000 administrative fine and to complete a 6-hour builder education class.*

### **TODD HANSEN DESTAFINO** Chelsea, AL

**Date of Action:** August 28, 2014

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,000 administrative fine and to complete a 6-hour builder education class.*

### **A G CONSTRUCTION, LLC**

Andrew Tucker, designated qualifying representative  
Birmingham, AL

**Date of Action:** August 28, 2014

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$750 administrative fine and to complete a 6-hour builder education class.*

### **CROWN DESIGN, INC.**

Frank Troncale, designated qualifying representative  
Vestavia Hills, AL

**Date of Action:** August 28, 2014

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee voluntarily surrendered the license and the surrender shall have the same effect as a revocation of the license. Any and all rights, title and privileges of practicing residential home building in the State of Alabama was revoked.*

### **SUPERIOR HOME CONSTRUCTION, LLC**

Bobby Smith, designated qualifying representative  
Lincoln, AL

**Date of Action:** August 28, 2014

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date

set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,500 administrative fine and to complete a 6-hour builder education class.*

### **OSTER HOMES, LLC**

Stephen Oster, designated qualifying representative  
Metairie, LA

**Date of Action:** September 25, 2014

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,500 administrative fine.*

### **TEDDY H. TAYLOR**

Guntersville, AL

**Date of Action:** September 25, 2014

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,500 administrative fine.*

### **ALABAMA RESTORATION SERVICES, LLC**

Michael L. Stanley, designated qualifying representative  
Pelham, AL

**Date of Action:** October 23, 2014

**Disposition:** Licensee was charged with violation of Ala. Code § 34-14A-15 (1975), in that the Board paid from the Homeowners' Recovery Fund an amount toward satisfaction of a judgment against the licensee. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee voluntarily surrendered the license and the surrender shall have the same effect as a revocation of the license. Any and all rights, title and privileges of practicing residential home building in the State of Alabama was revoked.*

### **TARVER CONSTRUCTION COMPANY, INC.**

Alto Tarver, III, designated qualifying representative  
Birmingham, AL

**Date of Action:** October 23, 2014

*(Continued on page 10)*

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## DISCIPLINARY ACTIONS

Continued from page 9

**Disposition:** Licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee voluntarily surrendered the license and the surrender shall have the same effect as a revocation of the license. Any and all rights, title and privileges of practicing residential home building in the State of Alabama was revoked.*

### MARK CLINARD CONCRETE & CONSTRUCTION, INC.

Margie Clinard, designated qualifying representative  
Elkmont, AL

**Date of Action:** October 23, 2014

**Disposition:** Licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$2,000 administrative fine.*

### ROBERT VINSON PETERS

Slocomb, AL

**Date of Action:** November 20, 2014

**Disposition:** Licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975), with a violation of § 34-14A-7(e) in that licensee engaged in the business of residential homebuilding without utilizing a valid written contract, and with a violation of Ala. Admin. Code r. 465-X-3-.04(1)(c)3. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee voluntarily surrendered the license and the surrender shall have the same effect as a revocation of the license. Any and all rights, title and privileges of practicing residential home building in the State of Alabama was revoked.*

### ICON RESTORATION, INC.

Vann Brannon, designated qualifying representative  
LaGrange, GA  
And

### VANN BRANNON

LaGrange, GA

**Date of Action:** November 20, 2014

**Disposition:** Licensee was charged with gross negligence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$2,000 administrative fine and to complete a 6-hour builder education class.*

### HONS BUILDERS, INC.

John H. Hons, designated qualifying representative  
Daphne, AL

**Date of Action:** November 20, 2014

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee voluntarily surrendered the license and the surrender shall have the same effect as a revocation of the license. Any and all rights, title and privileges of practicing residential home building in the State of Alabama was revoked.*

### JIMMY ANDRA BAILEY

Montgomery, AL

**Date of Action:** November 20, 2014

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,500 administrative fine and to complete a 6-hour builder education class.*

### PATHWAY HOMES, LLC.

Dan C. Tuttle, Jr., designated qualifying representative  
Dacula, GA  
And

### DCT CONTRACTORS, INC.

Dan C. Tuttle, Jr., designated qualifying representative

**Date of Action:** January 29, 2015

**Disposition:** Licensee was charged with incompetence in the practice of residential home building in violation of Ala.

Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *The Board admonished the licensee of its duty, as a licensee of the Board, to properly supervise subcontractors and to perform in a reasonable manner under the standard used in the community for residential home building, including timely responding to concerns raised by the homeowners with whom it contracts.*

### BUILT BY U HOMES, INC.

Jeffrey M. Rusert, designated qualifying representative  
Birmingham, AL  
And

### RUSERT HOMES, LLC

Jeffrey M. Rusert, designated qualifying representative  
Birmingham, AL  
And

### BUILD SOUTH HOMES, LLC

Jeffrey M. Rusert, designated qualifying representative  
Birmingham, AL

**Date of Action:** January 29, 2015

**Disposition:** Licensee was charged with multiple violations of Ala. Code § 34-14A-8 (1975) in the practice of residential home building. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee voluntarily surrendered the licenses and the surrender shall have the same effect as a revocation of the license. Any and all rights, title and privileges of practicing residential home building in the State of Alabama was revoked.*

### GREG SMITH CONSTRUCTION, INC.

Greg Smith, designated qualifying representative  
Trussville, AL

**Date of Actions:** January 29, 2015

**Disposition:** In the first case, licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$500 administrative fine and to complete a 12-hour builder education class.* In the second case, licensee was charged with incompetence and mis-

conduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$1,000 administrative fine and to complete a 12-hour builder education class.**

#### **WILCO HOMES, INC.**

Antonio Wilson, designated  
qualifying representative  
Fultondale, AL

**Date of Action:** January 29, 2015

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$500 administrative fine and to complete a 6-hour builder education class.**

#### **WHITTINGTON'S CONSTRUCTION, LLC**

Stephen M. Whittington, designated  
qualifying representative  
Troy, AL

**Date of Action:** March 2, 2015

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$2,000 administrative fine and to complete a 12-hour builder education class.**

#### **MARLON HAMM, LLC**

Jeffrey M. Hamm, designated  
qualifying representative  
Troy, AL

**Date of Action:** March 2, 2015

**Disposition:** Licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to a suspension of the licensee's homebuilders license for 60 day, the imposition of a \$1,000 administrative fine and to complete a 12-hour builder education class.**

#### **MARLON L. MORRIS**

Decatur, AL

**Date of Action:** March 2, 2015

**Disposition:** Licensee was charged with gross negligence, incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$2,500 administrative fine and to complete a 12-hour builder education class.**

#### **BRUCE ALLEN SHEHAN**

Evergreen, AL

**Date of Action:** March 26, 2015

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to a suspension of the licensee's homebuilders license for 90 day, the imposition of a \$2,000 administrative fine and to complete a 6-hour builder education class.**

#### **DEMEIS HOMESOUTH CUSTOM HOMES, LLC**

Marc Demeis, designated  
qualifying representative  
Birmingham, AL

**Date of Action:** March 26, 2015

**Disposition:** Licensee was charged with gross negligence and incompetence in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$2,500 administrative fine and to complete a 6-hour builder education class.**

#### **THOMAS H. DAVIS, III**

Fairhope, AL

**Date of Action:** March 26, 2015

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$1,500 administrative fine.**

#### **IRON HORSE CONSTRUCTION, LLC**

Henry Wade Lankford, designated  
qualifying representative  
Hanceville, AL

**Date of Action:** March 26, 2015

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-7(e) in that licensee engaged in the business of residential homebuilding without utilizing a valid written contract. Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$1,000 administrative fine.**

#### **HOME RENEWERS CORPORATION**

Michael J. Walley, designated  
qualifying representative  
Mobile, AL

**Date of Action:** April 22, 2015

**Disposition:** Following an administrative hearing, licensee was found guilty of incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975) and violation of § 34-14A-7(e) in that licensee engaged in the business of residential homebuilding without utilizing a valid written contract. **By Order dated April 22, 2015, any right and/or interest licensee may have had in its homebuilders license was revoked and an administrative fine in the amount of \$6,000 was imposed.**

#### **JONES-WARREN CONSTRUCTION, LLC**

Marc Allen Warren, designated qualifying  
representative  
Vestavia, AL

**Date of Action:** March 26, 2015

**Disposition:** Licensee was charged with misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. **Licensee agreed to the imposition of a \$1,000 administrative fine and to complete a 6-hour builder education class.**

(Continued on page 12)

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## DISCIPLINARY ACTIONS

Continued from page 11

### MARK STANLEY TUCKER

Loretto, TN

**Date of Action:** April 22, 2015

**Disposition:** Licensee was charged with a violation of Ala. Code § 34-14A-7(e) in that licensee engaged in the business of residential homebuilding without utilizing a valid written contract. Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$1,000 administrative fine.*

### BUILD WITH WILSON, INC.

David Joel Wilson, III, designated  
qualifying representative  
Huntsville, AL

**Date of Action:** April 22, 2015

**Disposition:** Licensee was charged with misconduct in the practice of residential

home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$500 administrative fine and to complete a 6-hour builder education class.*

### NEWCASTLE CONSTRUCTION, INC.

Glenn Siddle, designated  
qualifying representative  
Birmingham, AL

**Date of Action:** May 28, 2015

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee agreed to the imposition of a \$2,000 administrative fine and to complete a 6-hour builder education class.*

### JOSEPH F. COOPER

Lincoln, AL

And

### QCC, INC.

Joseph F. Cooper, designated  
qualifying representative  
Lincoln, AL

**Date of Action:** May 28, 2015

**Disposition:** Licensee was charged with incompetence and misconduct in the practice of residential home building in violation of Ala. Code § 34-14A-8 (1975). Prior to the time and date set for hearing, the parties entered into a settlement agreement. *Licensee voluntarily surrendered the license and the surrender shall have the same effect as a revocation of the license. Any and all rights, title and privileges of practicing residential home building in the State of Alabama was revoked.* ▲



# UNLICENSED BUILDER PROSECUTIONS

March 1, 2013 - August 31, 2015

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## The Board Takes Unlicensed Builder Activity Seriously.

Since March, 2013, the Board has **identified and/or stopped the work** of 230 unlicensed builders, has **sworn out criminal complaints** on 59 unlicensed builders, and has **prosecuted** 46 unlicensed builder cases in district criminal court.

### JOHN ASPINWALL

**Trial Site/Date:** Elmore County  
District Court, Wetumpka, Alabama,  
June 18, 2013

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed upon payment of \$1,000.00 restitution to the Board.*

### CHARLES BARKER

**Trial Site/Date:** Calhoun County  
District Court, Anniston, Alabama,  
February 10, 2015

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, received 180 days suspended sentence, and 24 months probation.*

### JIM BOYKIN

**Trial Site/Date:** Chilton County  
District Court, Clanton, Alabama,  
March 6, 2014

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential

homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, received 90 days suspended sentence, and 24 months probation.*

### BRIAN D. BROOKS

**Trial Site/Date:** Jefferson County  
District Court, Birmingham, Alabama,  
May 22, 2013

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975).

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*Unlicensed builder pled guilty, was ordered to pay a \$2,000.00 fine, received 6 months suspended sentence, and 24 months probation.*

**JIM CARSTARPHEN**

**Trial Site/Date:** Mobile County District Court, Mobile, Alabama, January 14, 2014

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder stipulated to guilt and received 5 months good conduct.*

**JAMES D. EDWARDS**

**Trial Site/Date:** Etowah County District Court, Gadsden, Alabama, January 5, 2015

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed.*

**JOHNNY GARY**

**Trial Site/Date:** Lowndes County District Court, Hayneville, Alabama, February 4, 2014

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty and was ordered to pay a \$1,000.00 fine.*

**VERRICK GREEN**

**Trial Site/Date:** Madison County District Court, Huntsville, Alabama, June 12, 2013

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed.*

**MICHAEL HAYS**

**Trial Site/Date:** Jefferson County District Court, Birmingham, Alabama, July 21, 2014

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as re-

quired by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed upon payment of \$1,000.00 restitution to the Board.*

**MATTHEW HICKEY**

**Trial Site/Date:** Jefferson County District Court, Birmingham, Alabama, November 18, 2013

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed.*

**MATTHEW HICKEY**

**Trial Site/Date:** Jefferson County District Court, Birmingham, Alabama, November 18, 2013

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, received 12 months suspended sentence, and 24 months probation.*

**GREGORY T. HURST**

**Trial Site/Date:** Shelby County District Court, Columbiana, Alabama, October 27, 2014

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$200.00 fine, received 30 days suspended sentence, and two years probation.*

**JAMES JENKINS**

**Trial Site/Date:** Walker County District Court, Jasper, Alabama, April 15, 2015

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, received 90 days suspended sentence, and 12 months probation.*

**ERIC CLAYTON KIRKLAND**

**Trial Site/Date:** Calhoun County District Court, Anniston, Alabama, May 11, 2015

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$100.00 fine, received 365 days suspended sentence, and 24 months probation.*

**LAWRENCE LEE**

**Trial Site/Date:** Elmore County District Court, Wetumpka, Alabama, January 20, 2015

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was nolle prossed.*

**DARRYL MARTIN**

**Trial Site/Date:** Mobile County District Court, Mobile, Alabama, January 29, 2015

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed.*

**BRUCE MURRAY**

**Trial Site/Date:** Mobile County District Court, Mobile, Alabama, August 27, 2013

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty and was ordered to pay a \$100.00 fine.*

**HOWARD PAUL NELSON**

**Trial Site/Date:** Crenshaw County District Court, Luverne, Alabama, August 26, 2014

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, received 90 days suspended sentence, and one year probation.*

*(Continued on page 14)*

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## UNLICENSED BUILDER PROSECUTIONS

Continued from page 13

### SHAWN NEWTON

**Trial Site/Date:** St. Clair County District Court, Ashville, Alabama, March 12, 2014  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, received 90 days suspended sentence, and 12 months probation.*

### DUANE ORR

**Trial Site/Date:** Mobile County District Court, Mobile, Alabama, April 22, 2015  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder stipulated to prima facie case and was ordered to pay a \$1,000.00 fine.*

### KNEELY BRITISON PACK

**Trial Site/Date:** Cherokee County District Court, Centre, Alabama, June 22, 2015  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed.*

### TONY PARRIS

**Trial Site/Date:** Calhoun County District Court, Anniston, Alabama, November 26, 2013  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay \$9,000.00 restitution to the homeowner, and to participate in the pre-trial intervention program.*

### JASON PARRISH

**Trial Site/Date:** Marshall County District Court, Guntersville, Alabama, May 28, 2014  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and

valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, received 90 days suspended sentence, and one year probation.*

### JASON PARRISH

**Trial Site/Date:** Marshall County District Court, Guntersville, Alabama, May 28, 2014  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed.*

### KIP PENNINGTON

**Trial Site/Date:** Jefferson County District Court, Birmingham, Alabama, October 23, 2014  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed.*

### ROBERT PRATHER

**Trial Site/Date:** Calhoun County District Court, Anniston, Alabama, April 8, 2014  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$500.00 fine, received 365 days suspended sentence, and 24 months probation.*

### ROBERT PRATHER

**Trial Site/Date:** Calhoun County District Court, Anniston, Alabama, April 8, 2014  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was nolle prossed.*

### ROBERT PRATHER

**Trial Site/Date:** Calhoun County District Court, Anniston, Alabama, June 24, 2014  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current

and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, received 365 days suspended sentence, and 24 months probation.*

### ROBERT PRATHER

**Trial Site/Date:** Calhoun County District Court, Anniston, Alabama, June 24, 2014  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty and received 365 days suspended sentence, and 24 months probation.*

### ROBERT PRATHER

**Trial Site/Date:** Calhoun County District Court, Anniston, Alabama, July 29, 2014  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, received 365 days suspended sentence, and 24 months probation.*

### ROBERT PRATHER

**Trial Site/Date:** Calhoun County District Court, Anniston, Alabama, July 29, 2014  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty and received 365 days suspended sentence, and 24 months probation.*

### MARVIN RICHARDS

**Trial Site/Date:** Montgomery County District Court, Montgomery, Alabama, December 2, 2013  
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, and received 10 days suspended sentence.*

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**JEREMY ROSE**

**Trial Site/Date:** Lauderdale County District Court, Florence, Alabama, June 21, 2013

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, received 90 days suspended sentence, and 12 months probation.*

**JEREMY ROSE**

**Trial Site/Date:** Lauderdale County District Court, Florence, Alabama, January 1, 2014

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, received 90 days suspended sentence, and one year probation.*

**WILLIAM RUMPH**

**Trial Site/Date:** Macon County District Court, Tuskegee, Alabama, March 14, 2013

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed.*

**PHILLIP SATTERFIELD**

**Trial Site/Date:** Etowah County District Court, Gadsden, Alabama, May 15, 2014

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, received 90 days suspended sentence, and 1 year probation.*

**RANDAL SCOTT**

**Trial Site/Date:** Jefferson County District Court, Birmingham, Alabama, December 2, 2013

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current

and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed.*

**RANDAL SCOTT**

**Trial Site/Date:** Jefferson County District Court, Birmingham, Alabama, June 24, 2015

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty and upon completion of documents required by the homeowner, received 6 months suspended sentence, and 12 months probation.*

**DAVID SPAIN**

**Trial Site/Date:** Jefferson County District Court, Birmingham, Alabama, March 4, 2015

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed.*

**DAVID SPAIN**

**Trial Site/Date:** Jefferson County District Court, Birmingham, Alabama, March 4, 2015

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed.*

**MARSHALL SPATES**

**Trial Site/Date:** Calhoun County District Court, Anniston, Alabama, November 4, 2014

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine, received 365 days suspended sentence, and 24 months probation.*

**LINDA SAUNDERS****STEPHENSON**

**Trial Site/Date:** Morgan County District Court, Decatur, Alabama, February 3, 2015

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential

homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$2,000.00 fine, received 180 days suspended sentence, and 2 years probation until fine is paid.*

**ALAN SWEET**

**Trial Site/Date:** Lauderdale County District Court, Florence, Alabama, May 9, 2013

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty, was ordered to pay a \$1,000.00 fine and \$25.00 to the Crime Victim Fund, received 3 months suspended sentence, and 12 months probation.*

**FRANK SWINDLE**

**Trial Site/Date:** Tuscaloosa County District Court, Tuscaloosa, Alabama, May 1, 2014

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Unlicensed builder pled guilty and was ordered to pay a \$500.00 fine.*

**STEVEN CLAYTON THOMASON**

**Trial Site/Date:** Montgomery County District Court, Montgomery, Alabama, January 12, 2015

**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed.*

**STEVEN CLAYTON THOMASON**

**Trial Site/Date:** Montgomery County District Court, Montgomery, Alabama, January 23, 2015

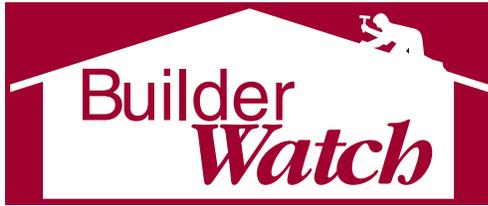
**Disposition:** Unlicensed builder was charged with engaging in the practice of residential homebuilding without holding a current and valid homebuilders license as required by Ala. Code § 34-14-5, 14 (1975). *Case was dismissed.* ▲



**HOME BUILDERS  
LICENSURE BOARD**

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

Post Office Box 303605 • 445 Herron Street  
Montgomery, Alabama 36130-3605



**BuilderWatch Hotline**

**1-800-304-0853**

**Protect Alabama  
Consumers and  
Your Industry.**

**Report Unlicensed  
Builder Activity!**

*(All calls will remain anonymous.)*

## WHAT'S IN A NAME? Do Yourself a Favor —

Make sure your license is issued to the individual or business entity you do business through.

The name of the individual or corporation holding the license is printed on your license card. If the name on your card is not the name on your contracts, you need to get a new

license. Remember, how you enter into contracts is how you should be licensed. An individual or corporation that enters into contracts without holding a license is an unlicensed builder, and is subject to fines and possible misdemeanor charges.

Call the Board's staff at 800-304-0853 for answers to any questions you may have about your license.

**Don't wait for the Board to call you.**



**RENEWAL DEADLINE  
NOV. 30, 2015**  
2015 License Expires December 31, 2015

# DON'T BE LATE!

▲ Applications received after **NOVEMBER 30, 2015**, but before **DECEMBER 31, 2015**, will require an additional **\$50.00 Late Fee**.

▲ Applications received after **DECEMBER 31, 2015**, will require an additional **\$295.00 Expired License Application Fee** – that's a total of **\$545.00 for an Expired License.\***

\*If we do not receive your completed renewal application either **ONLINE** at [www.hblb.alabama.gov](http://www.hblb.alabama.gov) or on a printed application by mail, postmarked on or before December 31, 2015, you will be required to file an **Expired License Application** and pay **\$545.00** (\$250.00 annual license fee, plus a \$295.00 non-refundable application processing fee for applicants holding an expired license less than three years old).

**RENEW ONLINE** or by downloading a form at [www.hblb.alabama.gov](http://www.hblb.alabama.gov).

If you need assistance, please call (334) 242-2230.

# NOTICE:

## ADMINISTRATIVE REGULATIONS AMENDED

For the first time in 18 years, the Board has amended the fee section of the administrative regulations, Ala. Admin. Code r. 465-X-4-.04, to increase the annual license fee. The annual license fee has been increased to \$235. With the \$15 homeowners' recovery fund fee, the total amount payable for your license annually will be \$250 beginning October 1, 2015.

The following is an excerpt from the Board's administrative regulations with the amended language in italics. A full copy of the Board's administrative regulations can be found on the Board's website at [www.hblb.alabama.gov](http://www.hblb.alabama.gov).

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### CHAPTER 465-X-4

#### FEES

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**465-X-4-.01**      **When Required; Failure for Timely Payment.** An application for a license or any request for which a fee is required, must be accompanied by payment of the requisite fee in full, or else the application or request shall be denied.

**Authors:** David R. Boyd, Dorman Walker, Lois Woodward

**Statutory Authority:** *Code of Ala. 1975*, §§ 34-14A-5, 34-14A-11.

**History:** Original Rule and Emergency Rule filed March 22, 1993; Emergency Rule effective March 22, 1993; Permanent Rule effective June 16, 1993; Amendment and Emergency Amendment filed June 20, 1994; Emergency Amendment effective June 20, 1994; Amendment effective October 28, 1994.

**465-X-4-.02**      **Method of Payment; Time of Payment.** Fees may be paid by a personal check, certified check, cashier's check, or money order. Fees are deemed paid when the funds represented by the check or money order actually are received by or made available to the Board's Executive Director.

**Authors:** David R. Boyd, Dorman Walker, Lois Woodward

**Statutory Authority:** *Code of Ala. 1975*, §§ 34-14A-5, 34-14A-11.

**History:** Emergency Rule filed March 22, 1993; Emergency Rule effective March 22, 1993; Permanent Rule effective June 16, 1993; Amendment and Emergency Amendment filed June 20, 1994; Emergency Amendment effective June 20, 1994; Amendment effective October 28, 1994.

**465-X-4-.03**      **Fees Not Refundable.** No fee or part of a fee paid by an applicant for a license, or any request for which a fee is required, shall be refunded as a result of the revocation or suspension of the applicant's license. In the event an applicant fails to complete the application process successfully or to take or pass the examination (testing experience and ability, conducted either by the Board or a third party under contract with the Board), or the Board refuses to issue a license to an applicant, any license fee or Homeowners' Recovery Fund fee submitted as part of the application process shall be refunded to the applicant upon receipt of a written request for refund from the applicant, except the nonrefundable application processing fee.

**Authors:** David R. Boyd, Dorman Walker, Lois Woodward, Beth Acker, Kathy Perry Brasfield

**Statutory Authority:** *Code of Ala. 1975*, §§ 34-14A-7, 34-14A-11.

**History:** Filed March 22, 1993. New Rule: Filed May 12, 1993, effective June 16, 1993. Emergency Amendment: Filed June 20, 1994. Amended: Filed September 23, 1994; effective October 28, 1994. Amendment and Emergency Amendment filed October 1, 1997; Emergency Amendment effective October 1, 1997. Amended: Filed January 28, 1998; effective March 4, 1998. Amended: Filed May 6, 2002; effective June 10, 2002.

**465-X-4-.04**      **Fees.** Fees shall be as follows:

- (1) Annual License Fee. 190.00

This fee must accompany the initial application for a license and each annual license renewal application.  
*Beginning October 1, 2015, this fee will be \$235.00.*

- (2) Annual Homeowners' Recovery Fund Fee. 15.00

This fee must accompany all license applications and license renewal applications.

- (3) Nonrefundable Application Processing  
Fee For New Applicants. 100.00

This fee, along with the annual license fee and the annual Homeowners' Recovery Fund fee, must accompany all applications submitted by applicants for a new license.

- (4) Nonrefundable Application Processing  
Fee For Applicants Holding Expired  
Licenses Less Than Three Years Old. 295.00

This fee, along with the annual license fee and the annual Homeowners' Recovery Fund fee, must accompany all applications submitted by applicants holding expired licenses less than three years old, who desire to reactivate the expired license.

- (5) Inactive Fees. 100.00

This fee must accompany an application for an inactive license and each renewal inactive license application. Building officials applying for or renewing an inactive license are exempted from this fee. *Beginning October 1, 2015, this fee shall be \$125.00.*

- (6) Record Fee. 15.00

This fee must accompany a request for an applicant's examination records.

- (7) Late Fee. 50.00

This fee must accompany all license renewal applications received on December 1, or thereafter, of the year preceding the year for which the license is to be renewed. Building officials filing a late application for an inactive license are exempted from this fee.

- (8) Bad Check Fee. 30.00

Pursuant to Code of Ala. 1975, § 8-8-15, this fee must accompany any check, or other negotiable instrument drawn on a bank or other depository institution and made payable to the Board, if the instrument is not paid or is dishonored by the institution.

- (9) Application Package Fee. 25.00

Pursuant to Code of Ala. 1975, § 41-22-4(3), this fee must accompany a request for an application package for a new license to be mailed. The application package includes a copy of Code of Ala. 1975, § 34-14A-1 *et seq.*, administrative rules and necessary forms for licensure.

**Authors:** David R. Boyd, Dorman Walker, Lois Woodward, Beth Acker, Kathy Perry Brasfield

**Statutory Authority:** Code of Ala. 1975, §§ 34-14A-5, 34-14A-7, 34-14A-11, 34-14A-15.

**History:** Filed: March 22, 1993. New Rule: Filed: May 12, 1993, effective June 16, 1993. Emergency Amendment: Filed June 20, 1994. Amended: Filed September 23, 1994; effective October 28, 1994. Amendment and Emergency Amendment filed October 1, 1997. Emergency Amendment effective October 1, 1997. Amended: Filed January 28, 1998; effective March 4, 1998. Amended: Filed September 4, 1998; effective October 9, 1998. Amended: Filed May 6, 2002; effective June 10, 2002. Amended: Filed March 7, 2008; effective April 11, 2008. Amended: Filed February 4, 2009; effective March 11, 2009. Amended: Filed June 17, 2010; effective July 23, 2010. Amended: Filed May 6, 2011; effective June 10, 2011. Emergency Amendment: Filed June 10, 2011. Amended: Filed August 25, 2011; effective September 29, 2011. Amended: Filed May 28, 2015; effective July 3, 2015.

**465-X-4-.05** **Additional Costs.** Applicants required to provide to the Board specified information from third parties [including without limitations, credit reports and examination results (testing experience and ability)] shall pay the cost of obtaining such information directly to the provider, provided; however, the cost of obtaining such information shall be payable to the Board and the Board shall reimburse the provider for such cost where the Board and the provider have a contract which provides for payment to be handled in this manner.

**Authors:** David R. Boyd, Dorman Walker, Lois Woodward, Beth Acker

**Statutory Authority:** Code of Ala. 1975, §§ 34-14A-5, 34-14A-11.

**History:** Filed: March 22, 1993. New Rule: Filed: May 12, 1993, effective June 16, 1993. Emergency Amendment: Filed June 20, 1994. Amended: Filed September 23, 1994; effective October 28, 1994. Amendment and Emergency Amendment filed October 1, 1997. Emergency Amendment effective October 1, 1997. Amended: Filed January 28, 1998; effective March 4, 1998.

**465-X-4-.06** **Fee Adjustments.** The Board may adjust fees as necessary to cover its operating costs.

**Authors:** David R. Boyd, Dorman Walker, Lois Woodward

**Statutory Authority:** Code of Ala. 1975, §§ 34-14A-5, 34-14A-11.

**History:** Original Rule and Emergency Rule filed March 22, 1993; Emergency Rule effective March 22, 1993; Permanent Rule effective June 16, 1993.