



Board for Contractors

AMENDED Guidance Document Revisions Effective
12/9/2025

INTERPRETATIONS AND POLICIES:

*The date in parentheses is the date the interpretation/policy was initially adopted

§ 54.1-1100. Definitions.

Contractor

(8/25)

A licensed contractor may not bid on work where the primary scope of the contract is outside the definition of the specialties/classifications permitted for the contractor's license, even if there is incidental work contained within the bid or contract that is within the scope of the contractor's license. A licensed contractor may bid on work, or enter into a contract for work, which is outside the scope of the contractor's license classification or specialty services provided that the contractor subcontracts that work to properly licensed contractors and the work of the subcontractors is incidental to the contract. For purposes of this guidance, "primary scope of the contract" means the main activities and deliverables expected from a contract. Any contracted work that is ancillary to accomplish the primary scope of the contract, but is outside the scope of the contractor's license, is considered to be incidental.

§ 54.1-1101 Exemptions

(09/20)

"For own use" means that the person performing or supervising the construction of a residential building must live in the residential building upon completion, unless they can be exempted based on the familial relationship as outlined in § 54.1-1101.8, and the person performing or supervising repair of or improvements to a commercial building must first occupy all or part of the building and operate their business from that occupancy. The Board stated that there should be no misunderstanding that a person who performs or supervises the construction of or improvements to any building with the intent to sell it must have a contractor's license.

General Definitions of Undefined Terms

New Construction

(07/97)

Any construction activity that occurs outside the original building perimeter is considered "NEW" construction.

Practical Experience in a Trade

(03/05) Activity regulated by the USBC and applicable referenced model code.

Supervision of Helpers and Laborers

(12/05) The definition of “supervision” states that a licensed tradesman must “periodically” observe and evaluate the performance of helpers and laborers performing trade-related tasks. That definition does not mean that a licensed tradesman is required to be on the job site at all times, but that the helpers and laborers be observed and evaluated periodically at a reasonable time frame for the qualifications of the person completing the work and the risk associated with the work being performed.

Change Orders

(03/06) The term “change order,” as used in 18VAC50-22-260 B.31, means any modification in the original contract including, but not limited to: 1) Time to complete the job; 2) Change in materials; 3) Change in cost; or, 4) Change in the scope of work. A change order must be signed by the consumer and the licensee or the licensee’s agent.

Routine Maintenance

(10/15) The term “routine maintenance,” as used in 18VAC50-22-260 B.8 of the Board for Contractors Regulations means recurring, preventative, and on-going activity necessary to delay or prevent the failure of a building, equipment, machinery, plant, structure, or system, against normal wear and tear and is generally set by the manufacturer, the USBC, or by generally accepted practices within the industry.

18 VAC 50-22-20. Definitions of license classifications.**Commercial Building (CBC) and Residential Building (RBC)**

(12/14) A contractor with the Commercial Building (CBC) or Residential Building (RBC) classification may perform foundation work, to include pilings.

(12/14) A contractor holding the Commercial Building (CBC) or Residential Building (RBC) classification may complete paving and concrete work which is incidental to the primary scope of the contract and adjacent to the structure being constructed (i.e., sidewalks, walkways, and driveways).

Highway/Heavy Contractors (H/H)

(12/14) Contractors holding the Highway/Heavy classification are permitted to install, maintain, or dismantle water, gas, and sewer connections and remove or repair water and sewer lines from the street to the structure and may complete the plumbing connection. For sewer lines this would be to the house or building clean-out. For water lines this would be to the stub out or connection point to the structure.

(8/25) Contractors holding the Highway/Heavy classification are permitted to install, maintain, or dismantle oil/water separators and grease interceptors (grease traps) located outside the structure. This does not include grease recovery devices, which may be installed, maintained, or dismantled by a licensed contractor with the plumbing contractor (PLB) classification.

18 VAC 50-22-30. Definitions of specialty services.

Billboard/Sign Contracting (BSC)

(12/14) Contractors who erect billboards for their own use on another's property are exempt from licensing requirements.

Electronic/Communication Service Contracting (ESC)

(07/93) Attaching telecommunications equipment to existing systems does not fall within the definition of contractor.

Elevator/Escalator Contracting (EEC)

- (8/25) Construction Elevators: Elevating devices used during construction are classified and regulated based on their intended use.
- Elevators that are permanently installed and designated for temporary use during construction are governed by the ASME A17.1, Section 5.10¹. These are fully regulated elevator systems that must comply with the installation, inspection, testing, and operational requirements set forth in the ASME Safety Code for Elevators and Escalators. These elevators must be installed by a licensed elevator contractor with certified elevator mechanics.
 - Personnel hoists and employee elevators installed on the exterior of buildings or structures on construction and demolition sites do not require installation, maintenance, or repair work to be performed by a licensed elevator contractor with certified elevator mechanics as they do not fall under ASME. These systems are distinct from temporary construction elevators and are governed by ANSI/ASSP A10.4²

Home Improvement Contracting (HIC)

(07/05) HIC contractors are not permitted to do framing work that is outside the footprint (horizontal and vertical) and boundaries of the original structure. They may not add roofing to decks, patios, or other portions of a structure that does not already have an existing roof.

(06/18) The term "utility out building," means a one story, detached building, less than 256 square feet, that does not require a permit to construct (i.e., shed, playhouse, gazebo).

Landscape Service Contracting (LSC)

(12/07) A landscape service contractor may install decorative fountains but must sub-contract trade-related work to an appropriately licensed contractor. They may also construct steps that are part of a landscape project but not those that serve as ingress or egress to a structure.

(12/14) General landscape services, such as mowing, trimming, placement of plant material, and tree removal, do not require license issued by the Board for Contractors.

(07/16) A contractor holding the landscape services specialty may install fencing that is not required by statute or regulation (such as swimming pool barrier, fencing around hazardous material storage, etc.)

¹ American Society of Mechanical Engineers: This code includes requirements for elevators, escalators, dumbwaiters, moving walks, material lifts, and dumbwaiters with automatic transfer devices.

² American National Standards Institute/American Society of Safety Professionals: Personnel Hoists and Employee Elevators on Construction Sites.

Manufactured Home Contracting (MHC)

- (12/14) The cost of the manufactured home must be included in the contract when determining what Class of license is required by the contractor, unless the contractor separately delineates the cost of the manufactured home and the cost of the installation, in which case the Class of license of the contractor can be based solely on the cost of installation.

Onsite Sewage System Contracting (ADS & CDS)

- (10/19) For onsite sewage system work only, the Board will consider the definition of "maintenance" in 18VAC160-40-10 and § 32.1-163 of the Code of Virginia as it pertains to the type of work that would not require a contractor's license with the ADS or CDS specialty. However, any other regulated work (i.e., contracting, installations and repairs, or operations and maintenance) performed by the individual or contractor must be done in compliance with Chapters 11 and 23 of Title 54.1 of the Code of Virginia as applicable.

18 VAC 50-22-50 and 18 VAC 50-22-60. Requirements for a Class B and Class A license**Reporting of financial history**

- (04/94) The value of land used in the determination of net assets may be done with either the assessed tax value or the appraised value from a certified appraiser, and, in either case, the applicant must furnish documents to establish the chosen value.
- (04/98) Assets used to determine whether a Class A Contractor Business meets the \$45,000.00 net worth requirement must be in the name of the business entity applying for the license. If a CPA reviewed balance sheet is used to document the business' net worth, it must have been completed within twelve months of the date of application. There may be no jointly owned property or assets for Sole Proprietors.
- (06/19) Assets used to determine whether a Class B Contractor Business meets the \$15,000 net worth requirement must be in the name of the business entity applying for the license. If a CPA reviewed balance sheet is used to document the business' net worth, it must have been completed within twelve months of the date of application. There may be no jointly owned property or assets for Sole Proprietors.

18 VAC 50-22-260. Filing of charges; prohibited acts.**Failure to use residential contract (B.8)**

- (12/07) In situations involving houses built on speculation. If the house is purchased or if a contract to purchase the home is made prior to the issuance of the final certificate of occupancy, then the contractor must use a contract that contains all of the provisions set forth in 18 VAC 50-22-260 B 9 of the regulations. If the house is purchased after a final certificate of occupancy is issued, then it becomes a real estate transaction and no residential construction contract is required.

Electronic Transactions: Contracts and Change Orders for Residential Transactions

- (8/25) A contractor may use electronic documents, electronic signatures, or electronic authorizations (as set forth in the Uniform Electronic Transaction Act (§ 59.1-479 et seq. of the Code of Virginia)). For purposes of compliance with 18VAC50-22-260.B.8 and 18VAC50-22-260.B.31, a contract or change order is considered "signed" when there is preserved documentation that the parties have affirmed an agreement.

Service Contracts

- (04/16) Work done that is included in a service contract does not require an additional contract and will be considered to have met the requirements of the regulations. Work that is not included in the service contract must meet the contract requirements set forth in the regulations. Additionally, repair or replacement work, above the diagnostic service or work done to stabilize an emergency condition, must also meet the contract requirements.

18 VAC 50-30-10. Definitions.

Incidental

- (12/14) Gas fitting is not incidental and must be done by a licensed gas fitter.

18VAC 50-30-39. Evidence of ability and proficiency.

- (10/07) Certified trade-related building inspectors may count a single year of full-time inspection experience, and the related training, as fulfilling the 240-hour education requirement for licensure set forth in 18VAC50-30-39 of the regulations, but that inspection experience does not meet the definition of practical experience in that same section.

18 VAC 50-30-120. Renewal. (individual licenses/certifications)

- (10/07) Instructors of approved continuing education training courses may receive credit for courses they teach.

General Policies

- (09/05) The business name of a licensed contractor cannot reflect work that the contractor is not licensed to perform.
- (06/07) General Complaint Processing - In order to more efficiently utilize agency and board resources, any pending or future complaints received against revoked licenses will be closed administratively.
- (08/09) The Board will not provide extensions to the due dates of provisions of Final and Consent Orders.

- (12/09) Tradesman examination approvals are valid for one year. Extensions will not be granted.
- (10/12) Contractors with the Highway/Heavy, HVAC and Plumbing classification may install/drill horizontal geothermal trenches and piping 10 feet below grade that is associated with horizontal loop geothermal system.
- (12/14) Contractors holding the CBC, RBC or HVAC classifications or the HIC or CIC specialties may install factory engineered fireplaces, fireplace inserts, or wood stoves. Venting for any of these or similar appliances must be completed by a contractor holding the HVAC classification.
- (12/14) Tradesmen are permitted to perform work that is within the scope of the applicable section of the USBC for their trade. Work experience used by applicants for tradesman licenses must be for work that is within the scope of the applicable section of the USBC for their trade.
- (07/16) In order for an applicant to qualify for an “umbrella” specialty (HIC or CIC) they must have experience in at least three of the “breakout” specialties. For example, an applicant with experience in flooring, painting, and roofing would be eligible for the applicable improvement specialty. However, an applicant with only flooring and painting experience would be required to hold both the PTC and FLR specialties. The “breakout” specialties are: DRY, FIN, FLR, GLZ, INS, BRK, PTC, ROC, TMC, and FRM.
- (06/19) Contractors that install residential emergency generators must hold a license with the Electrical Contractor (ELE) license classification. The installation of commercial generators may be completed by contractors holding a license with the CBC license classification or CIC license specialty, with the exception that all trade-related work must be completed by a properly licensed contractor with the applicable trade-related classification or specialty.
- (09/20) The replacement of dryer vent covers does not fall within the definition of “contractor” and no license is required to perform this task. This is restricted to the replacement of existing dryer vent covers only.
- (12/22) Contractor specialty examination approvals are valid for one year. Extensions will not be granted.

Examination Policies

- (07/15) Individuals are prohibited from registering for or taking an examination that they have already successfully completed, when there is no requirement for the individual to complete the examination a subsequent time.
- (10/15) All Qualified Individuals that, as part of an application, are required to complete a technical examination, must be approved by the Board for Contractors to sit for that

examination. As part of the application process the Qualified Individual candidate will provide documentation of experience in the specialty in which they will serve as the Qualified Individual.

(06/19) Examination candidates are allowed to use a language glossary for word-to-word translations during the examination. However, foreign language interpreters are not allowed at examination sites.

General Definitions

Retaining Walls

(8/25) The LSC specialty service is permitted under 18VAC50-22-30 to construct retaining walls for landscaping purposes. Such contractors may only construct non-structural retaining walls with less than 3' of unbalanced fill.

Contractors holding a CBC, RBC, or H/H classification may construct, remove, repair, or improve retaining walls as applicable to the scope of practice allowed by their license classification.