

BOARD FOR CONTRACTORS COMMITTEE MEETING AGENDA

9960 Mayland Drive
Board Room 2, 2nd Floor 8:00A.M.
Tuesday, August 19, 2025

Our mission is to protect the health, safety and welfare of the public by licensing qualified individuals and businesses and enforcing standards of professional conduct for professions and occupations as designated by statute.

I. CALL TO ORDER

- a. Emergency Evacuation Procedures
- b. Determination of Quorum

II. ADMINISTRATIVE MATTERS

- a. Approval of Agenda
- b. Approval of Minutes:
 - i. June 24, 2025, Board for Contractors Committee Meeting draft minutes.

III. PUBLIC COMMENT PERIOD ***FIVE MINUTE PUBLIC COMMENT, PER PERSON***

IV. EDUCATION

- a. Education Provider Application

V. NEW BUSINESS

- a. Examination Update
- b. Regulatory Update
- c. Criminal History Matrix Review - Predetermination
- d. Review of Guidance Document
- e. Executive Director Report
- f. Board Member Professional Development
- g. Recovery Fund Statement

VI. COMPLETE CONFLICT OF INTEREST FORM AND TRAVEL VOUCHER.

VII. ADJOURNMENT

NEXT MEETING SCHEDULED FOR **TUESDAY, OCTOBER 7, 2025**

- ❖ Agenda materials made available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.
- ❖ Five minute public comment, per person, with the exception of any open disciplinary or application file.

- ❖ Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-2785 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation.
- ❖ The Department fully complies with the Americans with Disabilities Act.

DRAFT AGENDA Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position. DRAFT AGENDA

BOARD FOR CONTRACTORS COMMITTEE MEETING

The Board for Contractors Committee met on **Tuesday, June 24, 2025**, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia.

Committee members present for the meeting:

Donald Groh, Chair
Nathan Trice, Vice-Chair
Taylor Brannan (arrived at 8:05)
Ralph Costen
Jerry Heinline
Francis McGonegal (arrived at 8:03)
James Spencer
Doug Lowe (arrived at 8:03)

Staff members present for all or part of the meeting:

Steve Kirschner, LRPD Deputy Director
Marjorie King, Executive Director
Stephanie Keuther, Assistant Executive Director
Joe Haughwout, Regulatory Affairs Manager
Mary Charity, Licensing Operations Administrator
Khang Le, Administrative Coordinator

I. Chair, Groh called the June 24, 2025, Board for Contractors Committee Meeting to order at 8:02 A.M.

**Call
To Order**

Committee Members Doug Lowe and Francis McGonegal arrived at the meeting.

**Committee
Member
Attendance**

Chair, Groh declared a quorum of Board members to be in attendance.

**Determination
of Quorum**

Marjorie King, Executive Director reviewed the emergency egress procedures with the Board and members of the public.

**Emergency
Egress**

II. ADMINISTRATIVE MATTERS

**Administrative
Matters**

Mr. Spencer made a motion, seconded by Mr. Trice, to adopt the agenda of the April 29, 2025, Board for Contractors Committee meeting.

**Approval of
Agenda**

The motion was approved with a vote of 7-0-0. Ayes: Groh, Trice, Costen, Lowe, McGonegal, Spencer.
Nays: None. **Abstain:** None. **Absent:** Brannan.

Mr. Spencer made a motion, seconded by Mr. Trice, to approve the draft minutes of the April 29, 2025, Board for Contractors Committee meeting as presented.

**Approval of
Minutes**

The motion was approved with a vote of 7-0-0. Ayes: Groh, Trice, Costen, Lowe, McGonegal, Spencer.
Nays: None. **Abstain:** None. **Absent:** Brannan.

III. PUBLIC COMMENT PERIOD

**Public
Comment
Period**

Chair, Groh opened the public comment period of the meeting.

With no one wishing to come forward, Chair, Groh closed the public comment period of the meeting.

Committee Member Taylor Brannan arrived at the meeting.

**Committee
Member
Attendance**

V. EDUCATION

Education

Education Provider Applications

**Education
Provider
Applications**

Stephanie Keuther, Assistant Executive Director, shared that staff recommends approval for:

Complete Electrical Training – Seeking retroactive approval back to 04/30/2025 – four (4) classroom vocational and continuing education courses for Electrical Tradesmen and one (1) pre-license electrical course for Contractors.

**Complete
Electrical
Training**

A motion was made by Mr. Spencer, seconded by Mr. Trice, for approval.

The motion was approved with a vote of 8-0-0. Ayes: Groh, Trice, Brannan, Costen, Lowe, McGonegal, Spencer. **Nays:** None. **Abstain:** None. **Absent:** None.

Mrs. Keuther shared that staff recommends approval for:

Workforce Continuing Education & Development, LLC – One (1) online continuing education course for Plumbing Tradesmen.

**Workforce
Continuing
Education &
Development,
LLC**

A motion was made by Mr. Spencer, seconded by Mr. Trice, for approval.

The motion was approved with a vote of 8-0-0. Ayes: Groh, Trice, Brannan, Costen, Lowe, McGonegal, Spencer. **Nays:** None. **Abstain:** None. **Absent:** None.

Mrs. Keuther shared that staff recommends approval for:

Virginia Construction Trades Academy – One (1) classroom vocational education course for Plumbing Tradesmen and one (1) classroom vocational education course for Electrical Tradesmen.

**Virginia
Construction
Trades
Academy**

A motion was made by Mr. Spencer, seconded by Mr. Trice, for approval.

The motion was approved with a vote of 8-0-0. Ayes: Groh, Trice, Brannan, Costen, Lowe, McGonegal, Spencer. **Nays:** None. **Abstain:** None. **Absent:** None.

VI. NEW BUSINESS

New Business

Reciprocal Licensure Agreements

**Reciprocal
Licensure
Agreements**

Mrs. Keuther explained that staff worked with the Ohio Construction Industry Licensing Board to review and create reciprocal agreements between Ohio and Virginia.

Stephanie Keuther, Assistant Executive Director, presented the Committee with a draft proposed reciprocal agreement for General and Advanced Business examinations.

Mrs. Keuther further explained that the Ohio board has reviewed and approved the reciprocal agreement.

After discussion, a motion was made by Mr. Spencer, seconded by Mr. McGonegal, to recommend the Board approve the proposed reciprocity agreement between the Virginia Board for Contractors and the Ohio Construction Industry Licensing Board, authorizing the waiver of the General and Advanced Business examination for qualified applicants, contingent upon meeting all outlined eligibility and administrative requirements.

The motion was approved with a vote of 8-0-0. Ayes: Groh, Trice, Brannan, Costen, Lowe, McGonegal, Spencer. **Nays:** None. **Abstain:** None. **Absent:** None.

Mrs. Keuther presented the Committee with a draft proposed reciprocal agreement for Master Electricians.

Mrs. Keuther explained that the Ohio board has reviewed and approved the reciprocal agreement.

After discussion, a motion was made by Mr. Spencer, seconded by Mr. Trice, to recommend the Board approve the proposed reciprocity agreement between the Virginia Board for Contractors and the Ohio Construction Industry Licensing Board, authorizing the waiver of the Master Electrician examination for qualified applicants, contingent upon meeting all outlined eligibility and administrative requirements.

The motion was approved with a vote of 8-0-0. Ayes: Groh, Trice, Brannan, Costen, Lowe, McGonegal, Spencer. **Nays:** None. **Abstain:** None. **Absent:** None.

Regulatory Update

Regulatory Update

18VAC50-22	General Regulatory Reduction	<ul style="list-style-type: none"> Final stage filed April 4, 2025. Executive Branch to complete review followed by 30-day adoption period.
18VAC50-22	Eligibility Requirement Amendment	<ul style="list-style-type: none"> Staff to file Final regulation. Final regulation will be published in the Virginia Register, followed by a 30-day public comment period.
18VAC50-22	HB1707/SB1059 - <i>Exempt</i>	<ul style="list-style-type: none"> Staff to file exempt action.
18VAC50-22	Renewal Notifications Amendment – <i>Fast-Track</i>	<ul style="list-style-type: none"> Staff to file fast-track action.
18VAC50-30	Temporary Elevator Mechanic Certifications	<ul style="list-style-type: none"> Regulation became effective June 1, 2025.

18VAC50-22 18VAC50-30	Fee Adjustment	<ul style="list-style-type: none"> The new fee amounts will become effective on August 1, 2025.
18VAC50-22 18VAC50-30	Change in Examination Fees	<ul style="list-style-type: none"> Executive Branch to complete Review.

Change in Examination Fee Provisions Regulatory Action

Joe Haughwout, Regulatory Affairs Manager, presented the Committee with draft proposed amendments to the Board’s examination fee structure.

After discussion, a motion was made by Mr. Spencer, seconded by Mr. McGonegal, to recommend the Board adopt the revised language pertaining to the Board’s examination fee structure as presented.

The motion was approved with a vote of 8-0-0. Ayes: Groh, Trice, Brannan, Costen, Lowe, McGonegal, Spencer. **Nays:** None. **Abstain:** None. **Absent:** None.

Change in Examination Fee Provisions Regulatory Action

Review of Guidance Documents

Guidance Document #2959

Joe Haughwout, Regulatory Affairs Manager, presented the Committee with draft proposed amendments to Guidance Document #2959.

After discussion, a motion was made by Mr. Spencer, seconded by Mr. Costen, to recommend the Board approve the formation of a work group to review and provide further insight into Guidance Document #2959.

The motion was approved with a vote of 8-0-0. Ayes: Groh, Trice, Brannan, Costen, Lowe, McGonegal, Spencer. **Nays:** None. **Abstain:** None. **Absent:** None.

Review of Guidance Documents

Guidance Document #2959

Withdraw of Document #5724 and Repeal of Guidance Document #6790

Mr. Haughwout presented the Committee with the following guidance documents set to be withdrawn or repealed.

- **Document ID #5724, PSI Examination Equivalency**
- **Document ID #6790, Contractor License Requirement for Onsite Sewage System Maintenance**

Withdraw of Document #5724 and Repeal of Guidance Document #6790

After discussion, a motion was made by Mr. Spencer, seconded by Mr. Trice, to recommend the Board withdraw Guidance Document #5724. There was no action taken in regard to Guidance Document #6790.

The motion was approved with a vote of 8-0-0. Ayes: Groh, Trice, Brannan, Costen, Lowe, McGonegal, Spencer. **Nays:** None. **Abstain:** None. **Absent:** None.

PSI Examination Contract

PSI Examination Contract

Marjorie King, Executive Director, informed the Committee that the PSI examination contract is recommended for extension through February 28, 2027. Staff will begin the Request for Proposal process this summer.

A motion was made by Mr. Spencer, seconded by Mr. Trice, to recommend the Board extend the existing PSI examination contract.

The motion was approved with a vote of 8-0-0. Ayes: Groh, Trice, Brannan, Costen, Lowe, McGonegal, Spencer. **Nays:** None. **Abstain:** None. **Absent:** None.

Examination Review

Examination Review

Stephanie Keuther, Assistant Executive Director, explained that staff has worked to form review groups composed of subject-matter experts, including both Board members and industry professionals, tailored to each specific Board for Contractors examination.

After discussion, a motion was made by Mr. Spencer, seconded by Mr. Brannan, to recommend the Board approve the creation of the examination review groups as presented.

The motion was approved with a vote of 8-0-0. Ayes: Groh, Trice, Brannan, Costen, Lowe, McGonegal, Spencer. **Nays:** None. **Abstain:** None. **Absent:** None.

Executive Director Report

Executive Director Report

Marjorie King, Executive Director, informed the Committee the Executive Director Report is to be presented in the upcoming Board for Contractors meeting.

Recovery Fund Statement

Recovery Fund Statement

Marjorie King, Executive Director, informed the Committee that there was no updated recovery fund statement available for this meeting and that an updated report will be presented at the next meeting.

VIII. COMPLETE CONFLICT OF INTEREST FORM AND TRAVEL VOUCHER

Mr. Groh requested the Committee members complete their Conflict-of-Interest Statements and Travel Reimbursement Forms.

**Complete
Conflict of
Interest Form
and Travel
Voucher**

IX. ADJOURNMENT

Adjournment

Chair, Groh thanked the Committee and Staff and adjourned the meeting at 9:42 A.M.

The next Committee meeting will be **August 19, 2025**.

Donald Groh, Chair

Date

DRAFT

Virginia Board for Contractors

Update on Regulatory Actions – 18VAC50-22

(as of July 29, 2025)

Action: General Regulatory Reduction

Next Step: Final Effective

- Regulation will become effective September 1, 2025.

Action: Eligibility Requirement Amendment

Next Step: Final Effective

- Regulation will become effective September 1, 2025.

Action: HB1707/SB1059 – *Exempt*

Current Stage: Exempt – Approved

- Exempt action was filed on July 7, 2025.
- Received Executive Branch Approval on July 22, 2025.

Next Step: Final Effective

- Regulation will be published in Volume 42, Issue 1 of the Virginia Register on August 25, 2025, after which a 30-day final adoption/public comment period will follow.
- Regulation will become effective September 24, 2025.

Action: Renewal Notifications Amendment – *Fast-Track*

Current Stage: Fast-Track – unfiled

- At the April 29, 2025, meeting, the Board authorized staff to file a fast-track action to amend its regulations to address the usage of terms inconsistent with Board practice.

Next Step: Filing of Fast-Track Action

- Staff to file fast-track action.

Update on Regulatory Fee Actions: 18VAC50-22 & 18VAC50-30

(as of August 1, 2025)

Action: Fee Adjustment

Next Step: Final Effective

- The new fee amounts became effective August 1, 2025.

Virginia Board for Contractors

Action: Change in Examination Fees

Current Stage: Proposed

- Executive Branch completed review on July 7, 2025.
- Regulation published in the Virginia Register on July 28, 2025.

Next Step: Final

- Public comment period will conclude on September 26, 2025. A Public Hearing will be held on August 19, 2025.

BOARD FOR CONTRACTORS APPLICATION REVIEW MATRIX CRIMINAL HISTORY

Revised August 19, 2025

Delegation of Authority to DPOR Staff

The Board hereby delegates authority to conduct predetermination fact-findings and license eligibility fact findings to the Department of Professional and Occupational Regulation in accordance with the applicable portions of the Administrative Process Act (Code of Virginia 2.2-4000 et. seq.).

Authorization to Approve Certain Prior Criminal Convictions

Applications and Predetermination Requests disclosing the following convictions will not be reviewed by the Board and may be approved by DPOR staff:

1. Felony convictions more than three years old with no subsequent reportable convictions, unless the conviction resulted in incarceration where the release date is less than one years from the application date. This does not include convictions involving murder, manslaughter, sexual assault, rape, robbery, indecent liberties, fraud, embezzlement, abduction, assaulting a police officer, larceny, burglary or contractor related convictions.
2. Misdemeanor convictions more than two years from the date of application.
3. Misdemeanor convictions for possession-of a controlled substance with no other convictions.
4. Felony convictions for possession of controlled substance more than two years old with no other convictions. For convictions less than two years old if the applicant has completed a deterrence program.
5. Felony convictions of Title 46 of the *Code of Virginia* (Traffic Code).
6. Misdemeanor convictions for simple assault (except domestic assault and assaulting a police officer), disorderly conduct, and/or trespassing.
7. Misdemeanor DUI convictions. This does not include DUI felony convictions.

~~In accordance with § 2.2-4002.1 of the Code of Virginia, this proposed guidance document conforms to the definition of a guidance document in § 2.2-4101.~~



Board for Contractors

AMENDED Guidance Document Revisions Effective
12/24/2020

INTERPRETATIONS AND POLICIES:

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

§ 54.1-1100. Definitions.

Contractor

(12/14)

~~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 his the contractor's license, even if there is incidental work contained within the bid or contract that is within the scope of his the contractor's license.~~ A licensed contractor may bid on work, or enter into a contract for work, which is outside the scope of ~~his the contractor's~~ license classification~~(s) or specialty services~~ provided that ~~he the contractor~~ subcontracts that work to properly licensed contractors, and the work of the subcontractors is incidental to the contract. ~~A contractor may not bid on work where the primary scope of the contract is outside the definition of the specialties/classifications permitted for his license, even if there is incidental work contained within the bid or contract that is within the scope of his license.~~ 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.

§ 54.1-1141 Certification required; exemption.

~~(09/07) Temporary construction elevators and hoists do not meet the criteria for requiring installation, maintenance and repair work as having to be completed by a licensed elevator contractor with certified elevator mechanics as these are temporary in nature and monitored by OSHA for onsite safety compliance.~~

Commented [CP1]: This is being removed from this section as it is contained in a different section below.

18 VAC 50-22-10. Definitions **General Definitions of Undefined Terms**

New Construction

(07/97) Any construction activity that occurs outside the original building perimeter is considered "NEW" construction.

Commented [CP2]: Tagline changed for clarification as these terms are not defined 18VAC50-22-10.
"General Definitions" section relocated here from below.

Practical Experience in a Trade

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

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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 not required to be on the job site at all times, but that the helpers and laborers should 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.~~

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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.

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Routine Maintenance

(10/15) The ~~definition of term~~ "routine maintenance," as used in 18VAC50-22-260 B.8 of the Board for Contractors Regulations means: ~~Recurring~~ recurring, preventative, and on-going activity necessary to delay or prevent the failure of a building, equipment, machinery, plant, 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.

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(12/14) Pilings are included as foundation work that may be performed by contractors with the Commercial Building (CBC) or Residential Building (RBC) classifications.

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

(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](#) ~~may~~ 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, ~~and for~~ [For](#) water lines this would be to the stub out or connection point to the structure.

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)

(09/07) Temporary construction elevators and hoists do not ~~meeting~~meet the criteria for requiring installation, maintenance and repair work as having to be completed by a licensed elevator contractor with certified elevator mechanics as these are temporary in nature and monitored by OSHA for onsite safety compliance.

Commented [CP3]: Consider revising

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—"utility out building," is defined means as a one story, detached building, less than 256 square feet, that does not require a permit to construct (i.e., shed, playhouse, gazebo), that is not attached to the main structure (this includes gazebos).~~

Commented [CP4]: The USBC does not define "utility out building," but does make reference to certain structures, under 256 square feet, that are exempt from permitting. The definition of "HIC" in the regs references the USBC, so it does all tie together.

Landscape Service Contracting (LSC)

(12/07) A landscape service contractor may install decorative fountains but must sub-contracter 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.)

(06/19) The construction, removal, repair, or improvement of residential retaining walls may be performed by a contractor holding the RBC, HIC, or H/H classifications ~~or the LSC specialty~~. The construction, removal, repair, or improvement of commercial retaining walls may be performed by a contractor holding the CBC, CIC, or H/H specialty.

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) - Incorporates Guidance Document #6790

(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.

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18 VAC 50-22-40. Requirements for a Class C license

None

18 VAC 50-22-50 and 18 VAC 50-22-60. Requirements for a Class B and Class A license

E. Reporting of financial history

Commented [CP5]: Consider lumping all “financial guidance” together rather than repeating - also appears the guidance can be consolidated.

(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

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must have been completed within twelve months of the date of application. There may be no jointly owned property or assets for Sole Proprietors.

- (07/16) If the assets of an applicant contain more than 25% undocumented value (accounts receivable, "other," etc.) then the applicant must provide a \$50,000 surety bond, a CPA audited financial statement **or** not count more than 25% of that value when calculating the net worth.
- (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.

Commented [CP6]: Consider striking as the change in regulation requires supporting documentation so this guidance may not be necessary

~~18-VAC 50-22-60. Requirements for a Class A license~~

~~E. Reporting of financial history~~

- ~~(01/94) 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~~

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~~must have been completed within twelve months of the date of application. There may be no jointly owned property or assets for Sole Proprietors.~~

(07/16) If the assets of an applicant contain more than 25% undocumented value (accounts receivable, "other," etc.) then the applicant must provide a \$50,000 surety bond, a CPA audited financial statement ~~or~~ not count more than 25% of that value when calculating the net worth.

Commented [CP7]: Relocated above

(07/16) If the assets of an applicant contain more than 25% undocumented value (accounts receivable, "other," etc.) then the applicant must provide an audited financial statement or not count more than 25% of that value when calculating the net worth.

Commented [CP8]: Established above.

18 VAC 50-22-260. Filing of charges; prohibited acts.

B.8 Failure to use residential contract

(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.

B.9 Contract Elements

(06/18) A contractor may use electronic documents, electronic signatures, and electronic authorizations (as set forth in the Uniform Electronic Transaction Act - § 59.1-480 et seq. of the Code of Virginia) ~~provided that the intended use of the electronic documents is outlined in the contract.~~

Commented [CP9]: Consider striking as this establishes a rule that is not regulation.

Service Contracts

(04/16) "Work done that is included in a service contract ~~shall~~ 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."

The Board may wish to consider additional guidance related to 'written and signed' change orders as this is an issue that arises often as a violated prohibited act.

18 VAC 50-30-10. Definitions.

Incidental

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

18-VAC-50-30-4018VAC 50-30-39. Evidence of ability and proficiency.

(10/07) Certified trade-related building inspectors may count a single year of ~~full-time~~full-time inspection experience, and the related training, as fulfilling the ~~240-hour~~240-hour education requirement for licensure set forth in 18VAC50-30-~~40-39~~ of the regulations, but that inspection experience does not meet the definition of practical experience in that same section.

(3/09) Individuals licensed as elevator mechanics in Florida and Georgia other than by reciprocity may qualify by substantial equivalency to take the Virginia's Elevator Mechanics examination.

Commented [CP10]: Remove this from guidance and add to Equivalency document.

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

(10/07) ~~Approved instructors~~Instructors of approved continuing education training ~~courses of required education courses~~ may receive credit for courses they teach.

General Policies

(03/05) ~~A Master or Journeyman Tradesmen, whose license is past reinstatement, must meet all current entry requirements, including passing the examination.~~

Commented [CP11]: Consider removing as this is clearly stated within the regulation.

(03/05) ~~The license expiration date for a Master Tradesman who upgrades from a Journeyman Tradesman license in the same trade, and who is only licensed in that one trade, shall occur on the last day of the month two years after the date the Master Tradesman license is issued by the Board.~~

Commented [CP12]: Consider removing as this is no longer applicable.

(09/05) The business name of a licensed contractor cannot reflect work that the contractor is not licensed to perform.

Tradesmen licenses are good for three years and EAGLES automatically establishes expiration dates based on issuance.

(03/06) ~~A Home Improvement Contracting (HIC) specialty license is needed to install an unvented gas prefabricated fireplace. An HVAC contracting or tradesman license is needed to install or modify a venting system. A contractor licensed to perform masonry work is authorized to install brick, concrete, block, stone, marble, slate or other types of masonry chimneys.~~

Commented [CP13]: Guidance below may cover this - consider striking.

Commented [CP14]: Consider striking as this is established in regulation.

(06/07) General Complaint Processing - In order to more efficiently utilize agency and board resources, any pending or future complaints received ~~on against revoked~~ licensees ~~whose license has been revoked, shall will~~ be closed administratively.

(08/09) The Board will not provide extensions to the due dates of provisions of Final and Consent Orders.

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- (12/09) Tradesman examination approvals are valid for one year. Extensions will not be granted.
- ~~(01/11) All Qualified Individuals of Sewage Disposal System Contractors are required to hold the individual license issued by the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals.~~
- ~~(01/12) The Board includes pilings as foundation work that may be performed by contractors with the Commercial Building (CBC) or Residential Building (RBC) classifications.~~
- (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) Contractors holding the HIC, CIC, or BRK specialties may construct, remove, or repair masonry chimneys.~~
- (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.
- ~~(10/15) Effective immediately, or at such time as the EAGLES licensing system can be modified to facilitate the change, 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.~~
- (07/16) In order for an applicant to qualify for an “umbrella” specialty (HIC or CIC) ~~then~~ 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.
- ~~(04/18) In lieu of having their application reviewed by the Board for Contractors in accordance with the provisions of the APA, an applicant with an adverse financial history, may provide~~

Commented [CP15]: Consider removing as this requirement has been incorporated into amended regulation.

Commented [CP16]: This is included above under definitions for license classifications.

Commented [CP17]: Consider striking as this is established in regulation.

Commented [CP18]: Relocated below under “examination policies.”

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~~a \$50,000 surety bond with the Board, using the bonding form and procedures that are currently in use as outlined in § 54.1-1106 and § 54.1-1108 of the Code of Virginia.~~

Commented [CP19]: Consider striking as this is a requirement included in regulation.

~~(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.~~

(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 ~~meet-fall within~~ the definition of "contractor" and no license is required to perform this task. This is restricted to the replacement ~~only~~ of existing dryer vent covers only.

Tradesman Apprentice Exam Exemption

~~(06/13) The Board added clarification to the journeyman exam exemption in 18 VAC 50-30-50 B 1 for applicants that successfully complete an apprenticeship program which is approved by the Virginia Apprenticeship Council. The exemption is limited to being used twice, once upon initial application, and once again the first time an individual allowed his license to lapse. After the second use, the individual would be required to complete the examination requirements.~~

Commented [CP20]: Consider eliminating guidance as this may conflict with statutory exemption.

Subsequent Examination Requests 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.~~

Commented [CP21]: Consider removing as this is a requirement incorporated into regulation.

~~(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.~~

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General Definitions

~~{03/06} — “Change Order” 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. The Change Order must be signed by all contracting parties.~~

~~{07/97} — “New Construction” Any construction activity that occurs outside the original building perimeter shall be designated as “NEW” construction.~~

~~{03/05} — “Practical Experience in a Trade” Activity regulated by the USBC and applicable referenced model code.~~

Retaining Walls

Contractors holding the LSC specialty service are permitted under 18VAC50-22-30 are permitted to construct retaining walls for landscaping purposes. Such contractors may only construct retaining walls with less than 3’ of unbalanced fill.

Contractors holding an RBC or H/H classification may construct, remove, repair, or improve engineered residential retaining walls.

Contractors holding a CBC or H/H classification may construct, remove, repair, or improve engineered commercial retaining walls.

Construction Elevators

Elevating devices used during construction are classified and regulated based on their intended use.

- Elevators installed inside structures for temporary use during construction are governed by the ASME A17.1, Section 5.10ⁱ. 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.
- In contrast, 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 A10.4ⁱⁱ

Financial Responsibility for Class A and Class B Contractors

A contractor applicant may not count more than 25% of assets of undocumented value (e.g. accounts receivable, “other,” etc.) when establishing net worth in a financial statement. Such applicant may provide either (i) a financial statement reviewed by a certified public accountant (CPA); (ii) a CPA audit; or (iii) a \$50,000 surety bond.

Commented [CP22]: Section relocated to beginning of document under “General Definitions of Undefined Terms.”

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

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