

**Arkansas  
Residential Contractors Licensing  
Law**



**and  
Rules of the  
Residential Contractors Committee**

**Revised July 2022**

## **RULES OF THE RESIDENTIAL CONTRACTORS COMMITTEE**

### **224-25-5-1. ISSUANCE OF LICENSE**

(a) All licenses will be issued under the name and address listed on the front of the application form. The use of any other name may constitute a violation. It is the responsibility of the licensee to inform the Committee in writing of any name, address, ownership or any other change relating to said license within 15 days of such change.

(b) All applications must be filed in one of five categories; (1) individual, (2) partnership, (3) corporation, (4) limited liability company or (5) limited liability partnership. Each application must be supported by a qualifying party, who has satisfactorily completed such examination as may be required by the Committee, prior to being issued a license. Anyone failing to pass such examination may be reexamined at any regular examination period, upon payment of proper fee. Should the qualifying party (business and law or trade) leave a licensed entity, written notice shall be given within fifteen (15) days to the Committee. The notice shall state the name and position of individual leaving and the name and position of the individual who will replace the departing qualifier. The replacement qualifier must be fully qualified within thirty (30) days of the departure of the previous qualifier. Any license not renewed within two years of expiration shall not be renewed.

(c) If a license has been expired for two (2) years or more, the applicant must submit a new application. Applicants who have previously held a contractors license in good standing shall not be required to submit proof of appropriate experience if seeking the same classification previously held.

(d)(1) A ninety (90) day temporary license shall be issued to an applicant who has submitted a completed application and a completed temporary license application and the fee, if the applicant holds in good standing a substantially equivalent license from another jurisdiction. The temporary license may be extended as necessary upon the showing of good cause by the applicant.

(2) A ninety (90) day temporary license shall be issued to an applicant who has submitted a completed application and a completed temporary license application and the fee, if the applicant is from a jurisdiction which does not issue a substantially equivalent license, if the applicant demonstrates appropriate competence by the demonstration of experience or appropriate testing, for the license classification requested.

### **224-25-5-2. LICENSE EXPIRATION & RENEWAL**

(a) Expiration. All licenses shall expire at midnight of the date of its expiration.

(b) Renewal.

(1) Renewal notices will be mailed approximately 60 days prior to the expiration of a license. However, it shall be the responsibility of the holder of the License to renew said license. Failure to receive a renewal notice shall not excuse the failure to timely renew. A renewal application will be considered timely filed if received by the Committee by the expiration date.

(2) Renewal applications received by the Committee prior to the expiration date of the license shall be accompanied by the on-time renewal fee and the licensee may continue to use the license until the next meeting of the Committee following the expiration date of the license.

(3) Renewal applications received within thirty (30) days after the expiration of the license shall be accompanied by the late renewal fee. UPON RECEIPT OF THE APPLICATION, the license shall be deemed to be reinstated until the Committee has met and acted upon the renewal. The reinstatement of a license does not reinstate the license for the time period between the expiration of the license and the receipt of the application by the Committee.

(4) Any renewal application received more than thirty (30) days after the expiration of the license shall be accompanied by the late renewal fee and may be reviewed by the Committee at its next available meeting. The applicant shall not have a valid license until said application is approved by the Committee. A license may be renewed up until two (2) years after its expiration date. Any licensee expired two (2) years or more may apply for reinstatement.

(5) Any renewal application not meeting the requirements of the Committee at its initial review, but being placed in an "improve status" will constitute an extension of the existing license until the next available Committee meeting, at which time the license will expire if a new license is not issued.

### **224-25-5-3. LICENSE APPLICATIONS**

(a) Any new application not complete within ninety (90) days after original receipt in our office will become invalid. Any new application not passing the Committee's review will be considered invalid after ninety (90) days from the date of its original review. During the ninety (90) day period, the applicant may have the opportunity to make corrections or improvements needed in the application in order to warrant the issuance of a license. After an application becomes invalid a new application and fee must be submitted for consideration to obtain a license.

(b)(1) A potential applicant for a license with a criminal record may petition the Committee at any time for a determination of whether the individual's criminal record will disqualify person

or entity from licensure and whether he or she will be granted a waiver under Ark. Code Ann. § 17-3-102(b).

(2) A person or entity wishing to submit a prelicensure criminal background waiver request shall do so on a form provided by the Committee.

(3) The Committee will respond with a decision in writing after the next scheduled Committee meeting following the submission of the completed form.

(4) The Committee's response will state the reason(s) for the decision.

(5) All decisions of the Committee in response to the petition will be determined by the information provided by the applicant.

(6) Any decision made by the Committee in response to a pre-licensure criminal background check petition is not subject to appeal.

(7) The Committee will retain a copy of the petition and response and it will be reviewed during the formal application process.

(c)(1) At the time of application, an applicant shall complete the criminal back ground history form contained within the application.

(2) If the applicant shall have been found guilty or pleaded guilty or nolo contendere to any offense that would disqualify the applicant for licensure under Ark. Code Ann. § 17-2-102 or Ark. Code Ann. § 17-25-507(c) the applicant may request a waiver under Ark. Code Ann. § 17-3-102.

(3) The applicant may also submit a written statement addressing the request for a waiver under Ark. Code Ann. § 17-3-102.

(4) The Committee may grant a waiver upon consideration of the following, without limitation:

- A. The age at which the offense was committed;
- B. The circumstances surrounding the offense;
- C. The length of time since the offense was committed;
- D. Subsequent work history since the offense was committed;
- E. Employment references since the offense was committed;
- F. Character references since the offense was committed;
- G. Relevance of the offense to the occupational license; and
- H. Other evidence demonstrating that licensure of the applicant does not pose a threat to the health or safety of the public.

(5) A request for a waiver, if made by an applicant, must be in writing and accompany the completed application and fees.

(6) The Committee will respond with a decision in writing after the next scheduled Committee meeting following the submission of the completed form.

(7) An appeal of a determination under this section will be pursuant to Ark. Code Ann. §17-25-511.

(8) The Committee may request the applicant to appear before the Committee prior to making a determination.

#### **224-25-5-4. LICENSE FEES**

(a) New Applications (Individuals or Entities Not Licensed by the Contractors Licensing Board). All new applications for Residential Builder by individuals or entities not currently licensed by the Contractors Licensing Board must be accompanied by a One Hundred Dollar (\$100.00) application/licensing fee. This fee is non-refundable.

(b) New Applications (Individuals or Entities Not Licensed by the Contractors Licensing Board). All new applications for Residential Remodeler or Residential Specialty Contractors by individuals or entities not currently licensed by the Contractors Licensing Board must be accompanied by a Fifty Dollar (\$50.00) application/licensing fee. This fee is non-refundable.

(c) New Applications (Individuals or Entities Currently Licensed by the Contractors Licensing Board). Individuals or entities currently licensed by the Contractors Licensing Board need not submit an application or licensing fee, however, they must submit an amended class request form and meet the requirements for a license.

(d) Renewal Applications (Individuals or Entities Not Licensed by the Contractors Licensing Board). All renewal applications for Residential Builder by individuals or entities not currently licensed by the Contractors Licensing Board must be accompanied by a Fifty Dollar (\$50.00) licensing fee, if the renewal application is timely filed. If the application is not timely filed, the application shall be accompanied by a One Hundred Dollar (\$100.00) licensing fee. This fee is non-refundable.

(e) Renewal Applications (Individuals or Entities Not Licensed by the Contractors Licensing Board). All renewal applications for Residential Remodeler or Residential Specialty Contractor by individuals or entities not currently licensed by the Contractors Licensing Board must be accompanied by a Twenty Five Dollar (\$25.00) licensing fee, if the renewal application is timely filed. If the application is not timely filed, the application shall be accompanied by a Fifty Dollar (\$50.00) licensing fee. This fee is non-refundable.

(f) Renewal Applications (Individuals or Entities Currently Licensed by the Contractors Licensing Board). Individuals or entities which have a Contractors License shall only pay the renewal fee for the Contractors License. No additional fee is required.

## **224-25-5-5. INACTIVE STATUS**

A holder of a license may choose to become inactive in the State of Arkansas at the time of any renewal. A license holder who is inactive may not bid on any contract, pull any permit, nor perform any work for which a license is required. A license holder who elects inactive status must pay all renewal fees, but is not required to submit financial information to the Committee. A license holder who is on inactive status may reactivate its license by making a request to the Committee and providing all necessary information required to renew as an active license holder.

## **224-25-5-6. EXPERIENCE REQUIRED**

### (a) Residential Building.

(1) In order to show appropriate experience, qualifications and ability to perform in Residential Building, the following must be provided:

(A) Proof of four (4) years of appropriate verifiable experience in the Building industry (commercial or residential) must be shown.

(B) Three verifiable references on the forms prescribed by the Committee.

(C) Or, having passed the appropriate examination.

(C) Compliance with all other state laws and rules reasonably connected to the performance of residential building.

(2) The Committee will take into consideration past performance, complaints, or violations of the law or rules of the Committee and of the Contractors Licensing Board.

### (b) Residential Remodeler.

(1) In order to show appropriate experience, qualifications and ability to perform residential remodeling, the following must be provided:

(A) Proof of two (2) years of appropriate verifiable experience in the remodeling industry (commercial or residential) must be shown.

(B) Three verifiable references on the forms prescribed by the Committee.

(C) Or, having passed the appropriate examination.

(D) Compliance with all other state laws and rules reasonably connected to the performance of residential remodeling.

(2) The Committee will take into consideration past performance, complaints, or violations of the law or rules of the Committee and of the Contractors Licensing Board.

### (c) Specialties.

(1) In order to show appropriate experience, qualifications and ability to perform residential specialty contracting, the following must be provided:



- (A) Proof of appropriate verifiable experience in the specialty area (commercial or residential) must be shown.
- (B) Three verifiable references on the forms prescribed by the Committee.
- (C) Or, having passed the appropriate examination.
- (D) Compliance with all other state laws and rules reasonably connected to the performance of residential remodeling.

(2) The Committee will take into consideration past performance, complaints, or violations of the law or rules of the Committee and of the Contractors Licensing Board.

(d) Any applicant who holds in good standing a substantially equivalent license from another jurisdiction shall not be required to demonstrate experience.

#### **224-25-5-7. EXAMINATION REQUIRED**

Unless exempted by the provisions of Ark. Code Ann. § 17-25-509, no person or entity shall be licensed by the Committee unless the individual, or a qualifying party for an entity, has passed the written examination required by the Committee.

#### **224-25-5-8. FINANCIAL REQUIREMENTS**

(a) Residential Building Contractors, Unlimited Residential Remodelers, Unlimited Residential Specialty Contractors.

(1) All new and renewal applications must be submitted with a compiled financial statement of the applicant, showing a positive net worth excluding the applicant's homestead and retirement accounts.

(2) All financial statements must be submitted on the form approved by the Committee or in a similar format such as to provide the Committee with the information sufficient to adequately review the financial status of the applicant. All financial statements must be sworn to be true and correct. Corporations, Partnerships and Limited Liability Companies, etc., must file a business financial statement, not a personal financial statement.

(b) Limited License Residential Remodelers, Limited License Residential Specialty Contractors

(1) No financial statement shall be required. A contractor holding a Limited License is not authorized to perform a project if the cost of the work to be done in the State of Arkansas, including, without limitation, labor and material, is \$50,000 or more.

(c)(1) If the Committee determines that the financial information provided by an applicant for a new or renewal license does not satisfy the financial requirements, the Committee may, at its option, deny the application or place the application in Improve status.

(2) A renewal applicant who is placed in Improve status will have its license extended until the next regular meeting of the committee, pending further information being provided and/or changes being made by the applicant to resolve any difficulties. The license is effective only until the next regular meeting of the Committee and will expire at the next regular meeting unless further action is taken by the Committee.

(d) The Committee will also consider past performance, complaints and ability to perform in determining whether to issue a new or renewal license.

## **224-25-5-9. CLASSIFICATIONS**

(a) A contractor licensed as Residential Building Contractor or a Residential Remodeler is considered to be a "general contractor" and is authorized to perform any of the "specialties" associated with the classification in question. A contractor licensed as a Residential Specialty Contractor is authorized to only perform the functions of the specific specialty for which a license is held. It is the responsibility of the applicant for a classification or a specific specialty to show appropriate experience and qualifications in each classification requested and demonstrate the ability to perform said classification.

(b) A licensee may perform Construction Management in the classification it is licensed.

(c) A contractor shall maintain proper personnel, financial ability and facility to perform for the owner coordination, development and management expertise for the project.

(d) CLASSIFICATIONS AND SPECIALTIES - A contractor holding a classification may perform any of the functions listed under that classification. Performing work not listed under that classification may constitute a violation.

## **OUTLINE OF CLASSIFICATIONS**

### **(1) Residential Building Contractor**

Additions

Awnings, Canopies & Gutters

Base & Paving

- a. Base Construction
- b. Hot & Cold Mixes
- c. Surface Treatment
- d. Asphalt
- e. Concrete Paving

Boat Docks

Carpentry, Framing, Millwork, Cabinets

Ceilings, Wall Systems, Acoustical Treatments

Central Vacuum Systems

Chimneys, Fireplaces



Communications, Computers or Sound Systems, Cabling  
Concrete  
Demolition  
Detached Garage, Storage Building, Detached Structures, Metal Buildings  
Drywall  
Erosion Control  
Fencing, Gates  
Floors, Floor Coverings  
Foundation Construction or Drilling, Pile Driving, Stabilization  
Glass, Glazing, Doors, Windows  
Grading & Drainage (Includes Grading, Drainage, Pipe & Structures, Culverts, Clearing, Grubbing & Rip Rap), Excavation  
Greenhouses and Sunrooms  
Insulation  
Interior Work  
Kitchen and Bathroom Renovations  
Landscaping, Irrigation, Lawn Sprinklers, Streams  
Lathe, Plaster, Stucco, Dryvit, EIFS  
Masonry  
Metal Studs, Walls  
New Home Construction  
Overhead Doors  
Painting, Wall Covering  
Remodeling, Renovations, Restoration, Alterations  
Retaining Walls  
Roofs, Roof Decks, Roofing Sheet Metal  
Siding, Soffit, Fascia & Gutters  
Skylights  
Solar Systems  
Special Coatings or Applications, Caulking, Waterproofing  
Steel, Alloy, Ornamental, Metal Fabrication, Welding  
Storm Shelters  
Swimming Pools, Spas  
Tile, Terrazzo, Marble, Countertops

## **(2) Residential Remodeler**

Additions  
Awnings, Canopies & Gutters  
Base & Paving  
a. Base Construction  
b. Hot & Cold Mixes  
c. Surface Treatment  
d. Asphalt  
e. Concrete Paving  
Boat Docks

Carpentry, Framing, Millwork, Cabinets  
Ceilings, Wall Systems, Acoustical Treatments  
Central Vacuum Systems  
Chimneys, Fireplaces  
Communication, Computer or Sound Systems, Cabling  
Concrete  
Demolition  
Detached Garage, Storage Building, Detached Structures, Metal Buildings  
Drywall  
Erosion Control  
Fencing, Gates  
Floors, Floor Coverings  
Foundation Construction or Drilling, Pile Driving, Stabilization  
Glass, Glazing, Doors, Windows  
Grading & Drainage (Includes Grading, Drainage, Pipe & Structures, Culverts, Clearing,  
Grubbing & Rip Rap), Excavation  
Greenhouses and Sunrooms  
Insulation  
Interior Work  
Kitchen and Bathroom Renovations  
Landscaping, Irrigation, Lawn Sprinklers, Streams  
Lathe, Plaster, Stucco, Dryvit, EIFS  
Masonry  
Metal Studs, Walls  
Overhead Doors  
Painting, Wall Covering  
Remodeling, Renovations, Restoration, Alterations  
Retaining Walls  
Roofs, Roof Decks, Roofing Sheet Metal  
Siding, Soffit, Fascia & Gutters  
Skylights  
Solar Systems  
Special Coatings or Applications, Caulking, Waterproofing  
Steel, Alloy, Ornamental, Metal Fabrication, Welding  
Storm Shelters  
Swimming Pools, Spas  
Tile, Terrazzo, Marble, Countertops

### **(3) SPECIALTIES (Specific)**

A contractor may obtain one or more of the Specialty Classifications by proper qualifications shown. The list of those Specialty Classifications is:

#### **SPECIALTIES**

Awnings, Canopies & Gutters Base & Paving

- a. Base Construction
  - b. Hot & Cold Mixes
  - c. Surface Treatment
  - d. Asphalt
  - e. Concrete Paving
- Boat Docks  
 Carpentry, Framing, Millwork, Cabinets  
 Ceilings, Wall Systems, Acoustical Treatments  
 Central Vacuum Systems  
 Chimneys, Fireplaces  
 Communication, Computer or Sound Systems, Cabling  
 Concrete  
 Demolition  
 Detached Garage, Storage Building, Detached Structures, Metal Buildings  
 Drywall  
 Fencing, Gates  
 Floors, Floor Covering  
 Foundation Construction or Drilling, Pile Driving, Stabilization  
 Glass, Glazing, Doors, Windows  
 Grading & Drainage (Includes Grading, Drainage, Pipe & Structures, Culverts, Clearing, Grubbing & Rip Rap), Excavation  
 Greenhouses and Sunrooms  
 Insulation  
 Kitchen and Bathroom Renovations  
 Landscaping, Irrigation, Lawn Sprinklers, Streams  
 Lath, Plaster, Stucco, Dryvit, EIFS  
 Masonry  
 Metal Studs, Walls  
 Overhead Doors  
 Painting, Wallcovering  
 Rebar  
 Retaining Walls  
 Siding, Soffit, Fascia, Gutters  
 Skylights  
 Solar Systems  
 Special Coatings or Applications, Caulking, Waterproofing  
 Steel, Alloy, Ornamental, Metal Fabrication, Welding  
 Storm Shelters  
 Swimming Pools, Spas  
 Tile, Terrazzo, Marble, Countertops

**224-25-5-10. COMPLAINTS & INVESTIGATIONS**

(a) The purpose of the complaints procedure is to effectively deal with issues affecting the licensure of licensees. The complaints procedure is not intended to function as a dispute resolution process or a code enforcement process. Any complaint registered with

the Committee of alleged violations must be submitted in writing with proper information to identify job site, owner if possible, any name and phone numbers of individuals and any other information that may tend to be useful in the investigation. The Complainant must furnish his/their name, address and phone number in order to obtain any other information that may be necessary for proper investigation. A written response will be made to a Complainant when investigation is closed.

(b) A contractor who is licensed shall cooperate with any investigation and provide the Committee or the Contractors Licensing Board with all relevant information requested by the Committee or Board. The failure to cooperate or to timely provide the Committee or Board with relevant information as requested may constitute misconduct in the conduct of the contractors business and may subject the contractor to the revocation of the contractors license.

(c) The Committee may delegate to the administrator/investigator the authority to obtain licensee compliance as may be necessary. The administrator/investigator will conduct all investigations in such a manner that would be complimentary to the licensing law.

(d) Any application being denied because of a violation of Ark. Code Ann. § 17-25-101 through 17-25-513 may become invalid and a new application must be submitted.

#### **224-25-5-11. HEARINGS & APPEALS**

(a) All hearings and appeals of decisions of the Committee will be held in accordance with the Ark. Code Ann. § 17-25-501 et seq. and the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-201 et. seq.

(b) Appeals to the Contractors Licensing Board.

(1) Appeals from decisions of the Residential Building Contractors Committee to the Contractors Licensing Board shall be in writing and filed with the Contractors Licensing Board within 10 calendar days of the date the decision was served upon the respondent.

(2) A transcript of the original hearing(s) will be ordered and filed with the Contractors Licensing Board. A copy of the transcript will be provided to the respondent upon request. In the event the Contractors Licensing Board affirms or modifies, but does not reverse the decision of the Committee, the respondent will be responsible for the cost of the appeal. Said costs include, but are not limited to, the cost of the transcript. Said costs are in addition to any civil penalties or other sanction imposed.

(3) The Contractors Licensing Board will review the decision of the Committee in accordance with its Rules.

## **224-25-5-12. DEADLINES**

For any deadline that occurs on a Saturday, Sunday or holiday proclaimed by the State of Arkansas, the time to complete that event shall be extended until the next business day.

## **224-25-5-13. DEFINITIONS**

(a) **Ownership:** When the terms His own or Its own property is used in the Residential Builder licensing law, it shall mean sole and exclusive right to sell or convey the property.

(b) **Qualifying party:** A person who has passed the appropriate examination or is the experience qualifier for the licensee. To act as a "qualifying party" a person must be either: (1) a sole owner; (2) a partner of the partnership; (3) an officer of the corporation who is actively engaged in the day to day activities of the company; (4) a member of the Limited Liability Company who is actively engaged in the day to day activities of the company; (5) a partner of the Limited Liability Partnership who is actively engaged in the day to day activities of the company; or (6) a full time employee.

(c) **Full time employee:** A person who is an actual employee of the business, not an independent contractor. The person must work, on average, 30 or more hours a week for the business (1500 hours per year), must not be paid as an independent contractor (not receive a "1099" for his earnings but receive a "W-2" for his earnings). A full time employee is not someone who is hired "job to job" as needed. Other factors to be considered in making this determination include, but are not limited to: whether the business pays for workman's compensation insurance on the individual, whether the business pays payroll taxes on the individual, the amount of control the business has over the activities of the individual, the ownership of the tools used by the individual and, whether the individual maintains his own business separate from the business in question.

(d) **Residential Remodeling:** Any construction on a single-family residence involving structural changes, improvements, repairs or additions.

(e) **Residential Building Contractor:** The term "Residential Building Contractor" as found in Ark. Code Ann. § 17-25-502(2) does not include a developer who has constructed a residential project, if the developer:

- (1) Contracts with a properly licensed contractor to perform a turnkey project; and
- (2) The licensed contractor gives a written warranty at closing of not less than one year to the buyer of the residence.

(f) **Own residence:** The term "own residence" as found in Ark. Code Ann. § 17-25-509(c) and Ark. Code Ann. § 17-25-513 means the personal residence, the principal place of abode, the domicile, a residence constructed for the occupancy of the person who owns the property.

#### **224-25-5-14. DISPLAY OF NAME AND LICENSE NUMBER**

Each contractor holding a license from the Committee shall display in a prominent, legible manner the license number and contractor's name, as licensed, in letters not less than three inches high on a sign prominently displayed at all residential job sites.

#### **224-25-5-15. UNIFORM SERVICE MEMBERS, UNIFORMED SERVICE VETERANS AND THEIR SPOUSES**

(a) All applications submitted by Uniformed Service Members, Uniformed Service Veterans, and their spouses shall be expedited.

(b) A ninety (90) day temporary license shall be issued upon the receipt of an application and application fee submitted by a Uniform Service Member, a Uniformed Service Veteran or their spouse if the applicant holds in good standing a license from another jurisdiction with a similar scope of practice. The temporary license may be extended as necessary upon the showing of good cause by the applicant.

(c) Any applicant who is a Uniform Service Member, a Uniformed Service Veteran or their spouse and the applicant holds in good standing a license from another jurisdiction with a similar scope of practice shall not be required to demonstrate experience or be required to take the examination required by Ark. Code. Ann. § 17-25-509.

(d) A license or registration held by a Uniform Service Member or their spouse who is on deployment outside the State of Arkansas shall not expire until 180 days following their return to the State.

(e) A license or registration held in inactive status by a Uniform Service Member or their spouse who is on deployment outside the State of Arkansas shall not expire until 180 days following their return to the State.

#### **224-25-5-16 FEE WAIVER FOR CERTAIN APPLICANTS**

(a) An applicant may receive a waiver of the initial licensure fee, if eligible. Eligible applicants are applicants who:

(1) Are applying as a Sole Proprietor; and

(2) Are receiving assistance through the Arkansas, or current state of residence equivalent, Medicaid Program, the Supplemental Nutrition Assistance Program, the Special Supplemental Nutrition Program for Women, Infants, and Children, the Temporary Assistance for Needy Families Program, or the Lifeline Assistance Program; or

(3) Were approved for unemployment within the last twelve (12) months; or



- (4) Have an income that does not exceed two hundred percent (200%) of the federal poverty income guidelines.
- (b) Upon Agency request applicants shall provide documentation showing their receipt of benefits from the appropriate State Agency.
  - (1) For Medicaid, the Supplemental Nutrition Assistance Program, the Special Supplemental Nutrition Program for Women, Infants, and Children, the Temporary Assistance for Needy Families Program, or the Lifeline Assistance Program, documentation from the Arkansas Department of Human Services (DHS), or current state of residence equivalent agency; or
  - (2) For unemployment benefits approval in the last twelve (12) months, the Arkansas Department of Workforce Services, or current state of residence equivalent agency; or
  - (3) For proof of income, copies of all United States Internal Revenue Service Forms indicating applicant's total personal income for the most recent tax year e.g., "W2," "1099," etc.
- (c) Applicants shall attest that they are entitled to the fee waiver and that the documentation provided under (b) is a true and correct copy. Fraudulent or fraudulently obtained documentation shall be grounds for denial or revocation of license.

**RULES OF THE RESIDENTIAL CONTRACTORS COMMITTEE –  
ROOFER REGISTRATIONS**

**224-25-6-1. ISSUANCE OF REGISTRATION**

- (a) All registrations will be issued under the name and address listed on the front of the application form. The use of any other name may constitute a violation. It is the responsibility of the registrant to inform the Committee in writing of any name, address, ownership or any other change relating to said registration within 15 days of such change.
- (b) All applications for a Registration must be filed as either: (1) individual, (2) partnership, (3) corporation, (4) limited liability company or (5) any other business organization recognized by the Arkansas Secretary of State's Office.

**224-25-6-2. REGISTRATION EXPIRATION & RENEWAL**

- (a) Expiration. All registrations shall expire at midnight of the date of its expiration.
- (b) Renewal. Any renewal application not meeting the requirements of the Committee at its initial review, but being placed in an "improve status" will constitute an extension of the existing registration until the next available Committee meeting, at which time the registration will expire if a new registration is not issued.

### 224-25-6-3. REGISTRATION APPLICATIONS

(a) Any registration application not complete within ninety (90) days after original receipt by the Committee will become invalid. Any registration not passing the Committee's review will be considered invalid after ninety (90) days from the date of its original review. During the ninety (90) day period, the applicant may make corrections or improvements needed in the application in order to warrant the issuance of a registration. After an application becomes invalid a new application and fee must be submitted for consideration to obtain a registration.

(b)(1) A potential applicant for a registration with a criminal record may petition the Committee at any time for a determination of whether the individual's criminal record will disqualify person or entity from registration and whether he or she will be granted a waiver under Ark. Code Ann. § 17-3-102(b).

(2) The Committee will respond with a decision in writing after the next scheduled Committee meeting following the submission of the completed form.

(3) The Committee's response will state the reason(s) for the decision.

(4) All decisions of the Committee in response to the petition will be determined by the information provided by the applicant.

(5) Any decision made by the Committee in response to a pre-licensure criminal background check petition is not subject to appeal.

(6) The Committee will retain a copy of the petition and response and it will be reviewed during the formal application process.

(c)(1) At the time of registration application, an applicant shall complete the criminal back ground history form contained within the application.

(2) If the applicant shall have been found guilty or pleaded guilty or nolo contendere to any offense that would disqualify the applicant for licensure under Ark. Code Ann. § 17-3-102 or Ark. Code Ann. § 17-25-507(c) the applicant may request a waiver under Ark. Code Ann. § 17-3-102

(3) The applicant may also submit a written statement addressing the request for a waiver under Ark. Code Ann. § 17-3-102.

(4) The Committee may grant a waiver upon consideration of the following, without limitation:

- A. The age at which the offense was committed;
- B. The circumstances surrounding the offense;
- C. The length of time since the offense was committed;

- D. Subsequent work history since the offense was committed;
- E. Employment references since the offense was committed;
- F. Character references since the offense was committed;
- G. Relevance of the offense to the occupational registration; and
- H. Other evidence demonstrating that licensure of the applicant does not pose a threat to the health or safety of the public.

(5) A request for a waiver, if made by an applicant, must be in writing and accompany the completed application and fees.

(6) The Committee will respond with a decision in writing after the next scheduled Committee meeting following the submission of the completed form.

(7) An appeal of a determination under this section will be pursuant to Ark. Code Ann. §17-25-511.

(8) The Committee may request the applicant to appear before the Committee prior to making a determination.

#### **224-25-6-4. REGISTRATION FEES**

New and renewal registration fees shall be Twenty Dollars (\$20.00). This fee is non-refundable.

#### **224-25-6-5. Bond**

All bonds required to be filed with the Committee pursuant to Ark. Code Ann. § 17-25-601 et seq. shall be made by surety companies which have qualified and are authorized to do business in the State of Arkansas. The bonds shall be executed by a resident or nonresident agent, broker or producer licensed by the Arkansas Insurance Commissioner to represent the surety company executing the bond and shall file with the bond the agent's, broker's or producer's power of attorney to demonstrate his authority. The bond shall be issued on a form approved by the Committee.

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