



Tennessee Licensed Contractors

BOARD JOURNAL

Roster Internet Address: www.state.tn.us/commerce/boards/contractors

Contractors Board ♦ 500 James Robertson Pkwy., Suite 110, Nashville, TN 37243-1150 ♦ 800-544-7693 / Fax: (615) 532-2868

INSIDE

Board Members
New Laws
Renewal Changes
Thanks, to Neil Tuttle
Staff Directory
IRS Seminars (*Free/Confidential*)
Construction Managers
Disciplinary Action
Report Change of Address, Officers

STATE OF TENNESSEE
DEPARTMENT OF
COMMERCE AND INSURANCE



PHIL BREDESEN, GOVERNOR
PAULA FLOWERS, COMMISSIONER
SCOTT WHITE, DEPUTY COM.
ROBERT GOWAN, ASSISTANT. COM.

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Contractor Board Meeting Schedule

September 23 – 24, 2004
(Knoxville)
November 15 – 16, 2004
(Nashville)

We want to welcome our new electrical member, Cindi Gresham DeBusk of Gresham Electrical Contractors, LLC in Knoxville. Appointed by Governor Bredesen, she is the first female to serve on the Contractors Board. Mrs. DeBusk replaced Neil Tuttle, whose term ended December 31, 2003.

Welcome
Cindi DeBusk
Great to have you on the
Contractors Board!

New Financial Statement Requirements

Effective July 1, 2004, the financial statement requirements changed for monetary license limits of **\$1,000,000 to \$1,500,000**. For example, to apply for any of the following:

- **Renewal** - A license with a monetary limit of **\$1,500,000 or less**, the contractor may prepare their own financial statement (no longer the requirement for a CPA/PA's reviewed or audited financial statement for a limit over \$1,000,000 - \$1,500,000);
- **Reversion** - A contractor may apply for an increase of **\$1,500,000 or less** with a "**Reviewed**" financial statement from a CPA/PA (no longer an "Audit" required unless **greater** than \$1,500,000); or
- **New License** - A Contractor may apply for a new license with a limit of **\$1,500,000 or less**, with a "**Reviewed**" financial statement from a CPA/PA (no longer the requirement for an "Audit" unless for a license **greater** than \$1,500,000).

Prior to this change, a contractor with a limit of \$1,500,000 was required to submit a "Reviewed" statement from a CPA/PA just to renew, and an "Audit" to revise or apply for a new license. This law change will lower the expense for several existing contractors, as well as aid those who want to expand their contracting business by alleviating the expense of CPA/PA prepared financial statements.

The above is an abbreviated version of T.C.A. 62-6-111(b). For an actual copy, please feel free to contact our office or fax your request to us at (615) 532-2868 and we will be happy to mail the complete law. This law may be reviewed on the State's main web page at www.state.tn.us/sos.

Military Contractors

Those of you called into active duty, don't worry about your contractor's license! It can be renewed, without penalty. We appreciate your service-

**TENNESSEE BOARD FOR
LICENSING CONTRACTORS**

BOARD MEMBERS

CINDI DEBUSK

Gresham Electrical Cont., LLC
Knoxville – Electrical Member

CLIFF HUNT

Standard Const. Co.,
Memphis – Highway Member

**WALTER G. KNESTRICK,
SECRETARY**

Walter Knestrick Contractor, Inc.
Nashville – Commercial Member

**FRANK NEAL,
VICE CHAIRMAN**

Frank E. Neal & Co.,
Nashville – Public Member

DON ORR

Nashville Machine Co., Inc.
Nashville – Mechanical Member

LARRY PARKS

T. U. Parks Const. Co.,
Chattanooga – Com/Res.
Member

GEORGE SANDERS

Sanders Const Co. Inc.,
Memphis – Commercial Member

REESE L. SMITH, III CHAIRMAN

Haury & Smith Cont.,
Franklin – Residential Member

GLENN STILL

Glenn Still Contractors
Dyersburg – Res. Member

2004 Legislation - Laws of Interest to Contractors

PLUMBER LICENSING - T.C.A. 62-6-104

Effective January 1, 2006, plumbers, who perform work less than \$25,000, will be required to be licensed by the Board for Licensing Contractors as a Limited Licensed Plumber. *This law is similar to the LLE (Limited Licensed Electrician).*

CONSUMER PROTECTION ACT- T.C.A. 62-6-136

Effective July 1, 2004, a new violation of Consumer Protection Act for representations as licensed contractor, residential contractor, or home improvement contractor when person is not so licensed and imposes liability upon individuals who make such representations on behalf of an entity having limited liability protection. - Amends TCA Title 47, Chapter 18 and Title 62, Chapter 6.

Another consumer protection law passed in June, 2003, T.C.A. 62-6-133-134, which considers it a conflict of interest for a contractor to have a controlling ownership interest in the lender providing a mortgage loan for home improvement work or to be a co-signer, acting as a guarantor for mortgage loans. Violation of this law imposes up to a penalty in the amount of \$25,000 and considered an unfair deceptive act of trade and commerce.

PUBLIC CONTRACTS – T.C.A. 12-4-201

Effective July 1, 2004, clarifies public work contracts, while a contractor is required to obtain a bond or other surety, the contractor is not required to obtain the bond from any particular surety, agent, broker or producer, and cannot be so required by any public official, however, the bond must be from a licensed surety, agent, broker or producer.

CONSTRUCTION DEFECTS CLAIMS - T.C.A., Title 66

Effective May 24, 2004, this law establishes procedures and requirements for resolving claims regarding construction defects in commercial and residential property. Under this law, a person with a claim against a contractor, subcontractor, supplier, or design professional could not proceed with a suit on the claim until there has been compliance with outlined requirements (claimant provides notice, giving such parties an opportunity to respond, make a settlement offer, or remedy defect. - Amends TCA Title 66).

CRIMINAL HISTORY RECORDS – T.C.A. 56-1

Effective April 22, 2004, authorizes the Department Commerce and Insurance to query TBI's criminal history records, orders of protection files and other similar databases, including FBI files, when such records are necessary in the performance of the department's licensure, permit and consumer protection duties.

The above is a synopsis of laws passed and is not complete. To receive a copy of the actual statute, please feel free to contact our office or fax your request at (615) 532-2868. These may be reviewed at the State's main web page at www.state.tn.us/sos.

**Mailing your renewal
soon to be easier!**

No need for TWO envelopes! Contractors have been burdened over the past several years, with having to send their renewal "fee" to the Department of Revenue's address, while sending the renewal "form" to the Contractors Board address. Problems happened if sent opposite; renewal forms were either lost or delayed. This is in the works to change so the contractor will be able to send BOTH, renewal and fee, in one pre-addressed envelope to our Board office.

We want to take this opportunity to thank,

NEIL TUTTLE

He served two terms (14 years) as the
Electrical member on the Board, with
three of these years as Chairman. His
great works and dedication to the electrical
industry are appreciated!!

Thank you! Thank you! Thank you! Thank you! Thank you!

Free, Confidential - Seminars from IRS

In order to help those working in the construction industry, the Internal Revenue Service has put together **free, confidential tax seminars at the following locations:**

Green Hills Library
3701 Benham Ave.
Nashville, TN 37215
Thursday, December 2, 2004
6 p.m. – 7:30 p.m.

To register or for more information about these sessions, please call Patsy Burger at (615) 250-5060 or register by email at:

Patricia.Burger@irs.gov

FYI – IRS Fun Facts

A business makes payments totaling \$600 or more a year to an independent contractor, the payments must be reported to the Internal Revenue Service using Form 1099-MISC, *Miscellaneous Income*.

An independent contractor is someone who is paid to perform work at a business, but is not considered to be an employee. Several factors must be considered to properly determine whether a worker is an employee or an independent contractor. For more information on worker classification, refer to Publication 15-A, *Employers Supplemental Tax Guide*.

For information on how to complete or obtain forms, instructions and publications:
www.irs.gov.

Find more help for Construction Business owners:
<http://www.irs.gov/businesses/small/industries/content/0..id=99329.00.html>

Obtain more information on filing returns electronically by calling 1-866-455-7438.

Construction Managers

Contractors who supervise, superintend, oversee, schedule, direct, or in any manner assume charge of the construction are required to obtain a “BC” (residential, commercial and industrial building) contractor’s license. Architects and engineers performing normal services (identified in TCA 62-6-102(B)) are not required to be licensed.

A construction manager’s monetary limit would be needed for the entire project; not their individual contract amount.

For more information concerning construction management, feel free to contact our office at 1-800-544-7693.

Disciplinary Action (see pages 4 – 8)

The Board for Licensing Contractors and their staff, strive to list all disciplinary action correctly. However, due to formatting for print and Board appeals, all may not be listed correctly. Should there be a discrepancy, please contact our office in writing by mail, or fax to (615) 532-2868. We will follow-up with a retraction and/or post on the web site.

BOARD FOR LICENSING CONTRACTORS

(615) 741-8307 or 1-800-544-7693

FAX: (615) 532-2868

Phyllis Blevins, Ex. Director

(615) 253-4711

Carolyn Lazenby, Asst. Director

(615) 532-3990

Telise Roberts, Insp. Supervisor

(615) 532-3989

Licensing Staff

Pat Carr-Berry, Renewal Sup.
532-3977

Karen Cavanaugh, Complaints
532-3985

Rhea Cowan, Fees
741-1683

Renee Crawford, Home Imp.
532-3993

June Dishman, Complaints
532-3995

Brenda Emmett, Renewals
532-3981

Linda Ford, Reciprocity
253-2144

Jay Lane, Telephone/Recip.
253-6234

Bonnie Henderson, Secretary
253-4711

Danielle Hunter, Mode Changes
253-4710

Teresa Jordan, LLE – Electricians
253-4076

Joe Kraeske, Home Improvement
532-3994

Melody Lightcap, Financial Strmts.
532-3998

Alfreda Porter, Revisions
253-5741

Talton Rains, Financial Statements
741-1214

Jennell Riddle, Tel./Reception
532-3986

Robin Robinson, Tel./Reception
741-1931

Cathey Rogers, Renewals
532-3979

Angela Smith, New Licenses
532-3983

Inspectors

Ewal Garrett, (423) 341-3738

Hal Ing, (901) 581-1463

Larry Mathews, (615) 390-7847

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Greg Shima, (615) 390-7842

Tom Watson (615) 390-7853

Larry Wix, (615) 390-7814

Attorney

Scott Ledford, (615) 741-3072

Disciplinary Actions (June, 2003 – July, 2004)

Name	Action/Penalty	Statute/Rule
Adams Const. Co. (#46853) 200316322	\$1000 Consent Order	62-6-118 (Attempting to pull a permit for an unlicensed entity)
Allan, Thomas Const. (#37528) 200419216	\$1000 Citation	62-6-118 (exceeding limit)
B & M Excavating Company, LLC (Unlicensed) 200315166	\$500 Consent Order for unlicensed activity.	62-6-118
Beavers, Jerry Elec. (Unlicensed) 200102184	\$250 Citation	62-6-118 (unlicensed activity)
Belfor (Unlicensed) 200418053	\$1000 Civil Penalty	Tenn. Code Ann. § 62-6-118 (Unlicensed Activity)
Belfor USA (Unlicensed) 200316167	\$500 Consent Order	62-6-118 (failure to notify the Board of a change in ownership and operating in a name other than licensed)
Benson Const. Co. (#28024) 200315047	Consent Order for relinquishment of license.	62-6-118 (poor workmanship and abandonment of project)
Bogart Builders (#44549) 200209938	\$250 Consent Order	62-6-118 (failure to respond)
Boulton Enterprises, Inc. (Unlicensed) 200418360	\$1000 Consent Order	62-6-118 (unlicensed activity)
Brindley Construction Group, LLC (#30821) 200311988	\$1000 Consent Order for using an unlicensed HVAC subcontractor.	62-6-118
Brozelco, Inc. (#44211) 200418815	\$15,000 Consent Order	62-6-118 (Exceeding Limit and splitting contract into 3 separate contracts in order to stay under licensure limit)
Buckman, Ron Const. (Unlicensed) 200418506	\$1000 Citation	62-6-118 (Unlicensed Activity)
Bunker Hill Const. Co. (#27991) 200316886	\$250 Consent Order	62-6-118 (improper bidding)
Capps, Jimmy (Unlicensed) 200417901	\$1000 Citation	62-6-118 (unlicensed activity)
CD Development (#46612) 200315673	\$1000 Citation	62-6-118 (Working over \$25,000 on an expired license)

Page 5		Licensing Board Journal
Cordova Htg. & Air Cond. Co., LLC (#40909) 200316326	\$1000 Consent Order	62-6-118 (violation of the joint venture rule)
Cross Builders (#52049) 200418979	\$500 Consent Order	62-6-118 (unlicensed activity prior to licensure)
DCS Restoration, LLC (Unlicensed) 200418244	\$1000 Citation	62-6-118 (Unlicensed Activity)
Don Green Const. Co. (#26742) 200313236	Consent Order for Relinquishment of License	62-6-118 (failed to provide audited financial statement as requested)
E M J Corporation (#11250) 200316207	\$250 Citation	62-6-118 (pulling permit out of class-plumbing)
E M J Corporation (#11250) 200316207	\$250 Citation	62-6-118 (pulling permit out of class-mechanical)
Evans, Ronald (Unlicensed) 200418797	\$250 Citation	62-6-118 (unlicensed activity)
Evon Const., Inc. (#34970) 200316214	\$1000 Consent Order	62-6-118 (exceeding limit)
Fair, Mary Ann (Unlicensed) 200316981	\$1000 Citation	62-6-118 (unlicensed activity)
Fehrman, Robert (Unlicensed) 200419058	\$1000 Citation	62-6-118 (unlicensed activity)
Five Star Industrial Services Co. (Unlicensed) 200419618	\$1,000 Citation	62-6-118 (Unlicensed Activity)
Flatt, Kenneth Dale (Unlicensed) 200418688	\$750 Citation	62-6-118 (unlicensed activity)
Fussell Construction (#37940) 200417904	\$1000 Citation	62-6-118 (working out of class)
Gaskill, Craig & Iretta (#47838) 200312631 200317288 200418503	Consent Order for Relinquishment of License.	62-6-118 (Failure to complete repairs; poor workmanship)
Gupton Const. Co. (#21084) 200419620	\$500 Citation	62-6-118 (Unlicensed activity-license was in retirement)
Harbin, Bill (Unlicensed) 200418796	\$250 Citation	62-6-118 (unlicensed activity)

Page 6		
Henderson, Shelton & Vickie (#43833) 200315052	\$1000 Consent Order	62-6-118 (operating in a name other than licensed and buying material for the electrical subcontractor in order to keep the contract below \$25,000)
Hiscall Telecommunications, Inc. (#53069) 200419619	\$4,000 Consent Order	62-6-118 (Unlicensed activity prior to licensure)
Holt-Southeast Corp., The (#20393) 200316051	\$1,000 Consent Order	62-6-118 (Allowed work by a subcontractor other than the one specified in the bid)
Home Service Plus, LLC (#50014) 200418515	\$250 Citation	62-6-118 (working out of class)
Huskey, Darrell Keith (Unlicensed) 200317458	\$1000 Citation	62-6-118 (unlicensed activity)
Hyde, Gregory R. (#39024) 200315077	Consent Order for relinquishment of license.	62-6-118 (poor workmanship)
Jackson, Rusty Const. (#38622) 200314762	\$250 Civil Penalty for allowing use of license by unlicensed contractor.	62-6-118
Jarvis, Danny Foundation Repair (#48134) 200419063	\$500 Civil Penalty	Tenn. Code Ann. § 62-6-118 (Exceeding Limit)
Johnson Roofing (Unlicensed) 200317459	\$500 Citation	62-6-118 (unlicensed activity)
Johnson Roofing (Unlicensed) 200317454	\$500 Citation	62-6-118 (unlicensed activity)
Johnson Roofing (Unlicensed) 200418076	\$500 Citation	62-6-118 (unlicensed activity)
Johnson Roofing (Unlicensed) 200317460	\$1000 Citation	62-6-118 (unlicensed activity)
Johnson, E. Doyle Const. (#23557) 200418464	\$250 Consent Order	62-6-118 (bidding in a name other than licensed)
Jones Roofing (Unlicensed) 200418077	\$500 Citation	62-6-118 (unlicensed activity)
Jones, Joseph Dale Const. (#41418) 200317452	\$1000 Citation	62-6-118 (exceeding limit)
Jones, Joseph Dale (#41418)200317451	\$500 Citation	62-6-118 (exceeding limit)
Karl, Joseph S. Const. (Unlicensed)	\$250 Civil Penalty	Tenn. Code Ann. § 62-6-118 (Unlicensed Activity)

200313296 Page 7		
Koehn, Rodney & Annie (#52490) 200419416	\$250 Consent Order	62-6-118 (Unlicensed activity prior to licensure)
Likeford, David (Unlicensed) 200418795	\$250 Citation	62-6-118 (unlicensed activity)
Mabry, III, Thomas Jefferson (Unlicensed) 200418595	\$750 Citation	62-6-118 (unlicensed activity)
Moon, Danny (#48783) 200316402	\$250 Consent Order	62-6-118 (failure to file a written response in a timely manner relative to complaint)
Moon, Danny (#48783) 200316404	\$250 Consent Order	62-6-118 (failure to file a written response in a timely manner relative to complaint)
MP Builders, LLC (#42165) 200316035	\$250 Consent Order	62-6-118 (failure to respond)
Nicholson Const. (Unlicensed) 200417907	\$500 Consent Order	62-6-118 (unlicensed activity)
Oakes, Gary (Unlicensed) 200311982	\$250 Citation for unlicensed activity.	62-6-118
Oss, Jerome DBA Jerome History Homes (Unlicensed)	\$150 Citation	62-6-118 (unlicensed activity)
Oss, Jerome DBA Jerome History Homes (Unlicensed)	\$150 Citation	62-6-118 (unlicensed activity)
Piercy Const. Co. (#27671) 200316925	\$500 Consent Order	62-6-118 (engaged in 2 counts of pulling permits for an unlicensed contractor)
Plimpton, Greg (Unlicensed) 200418798	\$500 Citation	62-6-118 (unlicensed activity)
Pool Store, LLC (The) (Unlicensed) 200317453	\$1000 Citation	62-6-118 (unlicensed activity)
Precision Fire Protection, LLC (#51740) 200418593	\$1000 Consent Order	62-6-118 (unlicensed activity – prior to licensure)
Proteck (Unlicensed) 200419061	\$1000 Citation	62-6-118 (Unlicensed Activity)
Rodgers, Lin R. Elec. (#28653) 200419060	\$1000 Citation	62-6-118 (Using an unlicensed sub.)
Siemens Energy & Automation, Inc. (#46400) 200419089	\$15,000 Consent Order	62-6-118 (Accepting a bid & awarding a contract to an improperly licensed contractor)
Smith Construction (#41946) 200317621	\$500 Consent Order	62-6-118 (exceeding limit)

Page 8		
Sonny's Home Repair (Unlicensed) 200316466	\$1000 Citation	62-6-118 (unlicensed activity)
Sonny's Home Repair (Unlicensed) 200316462	\$500 Citation	62-6-118 (unlicensed activity)
Sorey Const. (#35672) 200316210	\$1000 Consent Order	62-6-118 (exceeding limit)
Speath Roofing (Unlicensed) 200316985	\$500 Citation	62-6-118 (unlicensed activity)
Stubblefield Bros. Roofing (Unlicensed) 200418075	\$500 Citation	62-6-118 (unlicensed activity)
Stubblefield, Wayne (#49906) 200418074	\$500 Citation	62-6-118 (unlicensed activity – operating in a name other than licensed)
Sun Elec. Co. of TN, Inc. (#22828) 200313893	\$2500 Consent Order	62-6-118 (permitted project(s) for an unlicensed electrical contractor)
Sutton, Kenneth (LLE) 200314858	\$500 Consent Order	62-6-118 (engaged in selling of license)
Tabor Const., Inc. (#18888) 200417942	\$250 Consent Order	62-6-118 (Failure to respond)
Thomas Const. & Ent. Inc. (#42343) 200003464	\$250 Consent Order for failure to respond.	62-6-118
TQ Constructors, Inc. (Unlicensed) 200316012	\$5000 Consent Order	62-6-118 (unlicensed activity)
Two Rivers Excavating LLC (Unlicensed) 200418606	\$1000 Citation	62-6-118 (unlicensed activity)
Wadham, Tim T. (Unlicensed LLE) 200419686	\$750 Civil Penalty	Tenn. Code Ann. § 62-6-118 (Unlicensed Activity)
Walden Plumbing, LLC (#39984) 200419833	\$250 Civil Penalty	Tenn. Code Ann. § 62-6-120 (Contracting in a name other than as licensed)
Walters Group, Inc. (#36862) 200211711 200312090	Consent Order for Relinquishment of License	62-6-118 (failed to make repairs on two complaint cases)
Wingfield, Sammy (Unlicensed) 200418052	\$250 Citation	62-6-118 (unlicensed activity)
Witron Intergrated Logistics Corporation (#50466) 200314942	\$5000 Consent Order for unlicensed activity prior to licensure.	62-6-118
Woodkrest Custom Homes, Inc.	\$1000 Citation	62-6-118 (unlicensed activity)

(Unlicensed) 200418510		
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**TENNESSEE DEPARTMENT OF COMMERCE & INSURANCE
 BOARD FOR LICENSING CONTRACTORS
 500 JAMES ROBERTSON PARKWAY, SUITE 110
 NASHVILLE, TN 37243-1150**

**Be sure to notify the office
 in writing within 30 days
 to report a change in
 address or (in the case of
 a corporation) officers.**

**Failure to do so
 is a violation of
 Rule 0680-1-.08.**

FOR ADDRESS CHANGE, PLEASE NOTIFY THE BOARD		
Contractor License Name: _____		
License ID#: 000 _____		
Old Address: _____		
New Address _____ / _____		
(Physical Street Address)		(P.O. Box)
_____	_____	_____
(City)	(State)	(Zip)
Telephone# (____) ____-____ Fax# (____) ____-____		
Email Address: _____		
Signature: _____		

FAX: (615) 532-2868 or MAIL: CONTRACTORS BOARD 500 JAMES ROBERTSON PKY., NASHVILLE, TN 37243-1150 or by Email: Bonnie.Henderson@state.tn.us		

