



**STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
BOARD FOR LICENSING CONTRACTORS**

Mailing Address: 500 James Robertson Pkwy.,
Nashville, TN 37243-1150

Telephone: (615) 253-6235 / Fax: (615) 532-2868

Website: <https://www.tn.gov/commerce/regboards/contractors.html>

Email: HIC.renewal@tn.gov

HOME IMPROVEMENT

Contents

- **Home Improvement License Application**
- **Instructions**
- **Law, Rules and Regulations**
- **FAQ's**



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
BOARD FOR LICENSING CONTRACTORS – HOME IMPROVEMENT
Mailing Address: 500 JAMES ROBERTSON PARKWAY/ NASHVILLE, TENNESSEE 37243-1150
(615) 741-8307 or (800) 544-7693 or FAX - (615) 532-2868
<https://www.tn.gov/commerce/regboards/contractors.html> Email: HIC.renewal@tn.gov

HOME IMPROVEMENT LICENSE APPLICATION – INSTRUCTIONS
NO EXAMS REQUIRED

A **Home Improvement** license is required to perform residential remodeling work as a prime (*contracting directly with the owner*) for the following: **1)** In counties where the law has been adopted (*see below*); and **2)** If the total cost (*contract amount*) is \$3,000 - \$24,999 (includes materials, labor and profit). (*Note: Over \$25,000 requires a “Contractor’s” license.*) Employees of a contractor are exempt from the license, as well as a residential homeowner performing their own work.

- **County Requirement:** This state law applies to the following counties: Bradley, Davidson, Haywood, Hamilton, Knox, Marion, Robertson, Rutherford, and Shelby). Check local government for business licenses, bonding, permits and inspection requirements: <https://www.tn.gov/revenue/for-local-governments.html>
- **Home Improvement Defined:** Repair, replace, remodel, alter, conversion, modernization, improvement, or addition to structures and land. (Some government agencies may require for HVAC work). (*See TCA § 62-6-502 and TCA § 62-6-137*)
- **Examples of Home Improvement:** Driveways, swimming pools, porches, garages, landscaping fences, shelters, roofing, painting, environmental remediation (asbestos, lead, mold), and other improvements for the repair, removal or demolition of any damage to a building or structure caused by insects or natural disaster.
- **Other:** Those performing lead paint abatement, well drilling, security, electrical, mechanical, HVAC and plumbing are required to obtain other agency licenses (*see our website for additional information*).
- **Name on License:** Licenses cannot be issued in a similar name used by another licensee. Check at: <http://verify.tn.gov/> Licenses are issued in the exact name as listed on the bond and as registered with the Secretary of State.

Please read these instructions carefully before completing the attached “*Home Improvement License Application*”; read license law pertaining to: **advertising, payments from consumers, permits, inspections and preparing contracts**, to prevent license law violations.

Your application CANNOT be considered until all questions are answered, with disclosures provided with information attached. Include a copy of a photo ID (*driver’s license*) for each owner or officer. See page 5 for check-list.

- ◆ **Application fee for two (2) year license - \$250.00 – By check or money order payable to: State of Tennessee** (*do not mail cash*). Board office cannot accept fees at their physical location.
- ◆ **Bond or ILOC** - Attach proof of financial responsibility; a copy is acceptable. It must be in the amount of \$10,000 and in one of the following optional four (4) formats listed below. Note: Bond must remain on file for one (1) year after license inactivated or replaced, and cannot be released earlier. The license is issued in the name of the entity on the bond; if a corporation or LLC, should be same as registered with the Secretary of State. (See Rule 0680-7-.13) Reminder: Cannot be licensed in the same or similar name of another licensee or registrant. **Options for Financial Responsibility are as follows:**
 1. **Surety Bond** Include written Power of Attorney from Insurance company (**see page 6**) (See attached format for your insurance company; Contractor signs as “Principal”; must include bond number);
 2. **Irrevocable Letter of Credit (ILOC)** (Must be in the attached format from a FDIC approved bank, savings and loan financial institution) (**see page 7**)
- ◆ **Insurance - Supply Proof of Workers’ Compensation for Tennessee; and General Liability** (**see pages 8-9**)
- ◆ **Must complete page 13 – Eligibility Verification Attestation** (**see pages 12 – 14**)
- ◆ **See CHECK-LIST for further requirements and instructions** (**page 5**)
- ◆ **Board Review for License Issuance**

The license must be approved by the Board (see “[Public Meeting Calendar](#)” on website for list of meeting dates. (Note: If you need a license issued prior to the next Board meeting on an “emergency” basis, please attach a written request with the reasons. If there are violations, complaints or convictions, it cannot be approved on an emergency basis.) If you have complaints, convictions, incomplete application or failed to disclose information, the Board may require a personal interview with the business owner. If you have been convicted of a felony, please attach documentation (*charging document; disposition; release of probation, background check showing clean history, etc.*).



STATE OF TENNESSEE
 DEPARTMENT OF COMMERCE & INSURANCE
BOARD FOR LICENSING CONTRACTORS – HOME IMPROVEMENT
 500 JAMES ROBERTSON PKWY.
 NASHVILLE, TN 37243-1150
 TELEPHONE: (615) 253-6235 or 800-544-7693 or FAX: (615) 532-2868
 Website: <https://www.tn.gov/commerce/regboards/contractors.html> Email: HIC.renewal@tn.gov

\$250 Fee – 1701- HI Initial
Xact#:

*Note: If an interview or full Board review is required, check the "Public Meeting Calendar" on the website for the Board's next meeting.

HOME IMPROVEMENT LICENSE - APPLICATION

\$250.00 – FEE (2 year License)

(Make check payable to: "Home Improvement Contractors Board")

<input type="checkbox"/> New – First Time Applicant OR <input type="checkbox"/> Additional License Request <input type="checkbox"/> Separate Business <input type="checkbox"/> Owner/Officer Licensed (Prior/Current License # _____) <input type="checkbox"/> Resubmitted – Prior Application Denied or Pending <input type="checkbox"/> Reinstatement of Expired License (License # _____ - Exp: _____)
--

NAME TO APPEAR ON LICENSE: _____

(Name cannot be similar to another licensee; name must be the same as listed on Bond or ILOC)

BUSINESS LOCATION ADDRESS: _____

[If listing a P.O. Box, include physical address] [Have you been at this address for more than one year? Yes; No -See page 4]

CITY _____ **STATE** _____ **ZIP** _____

TELEPHONE: (____) _____ - _____ **CELL:** (____) _____ - _____ **FAX:** (____) _____ - _____

EMAIL: _____ **WEBSITE** _____

FEIN Tax ID# _____ N/A **Contact Person/Office Manager:** _____

1. Mode of Operation: *Sole Proprietor* *Partnership/Joint Venture* **Corporation* **LLC*
**Corporation or LLC:* Attach: 1) Charter or Articles of Organization; and 2) Proof of registration at Tennessee Secretary of State
See Attached: *Charter or Articles of Organization* *Registration at SOS* *Not Attached - application incomplete*

2. Please list name(s) of owner(s) / officers; their SS#, ownership percentage (may supply attachment); **alternate address other than business listed above (home or office headquarters – see T.C.A. § 62-6-506); attach a copy of photo ID; and attach page 13;

▪ Name _____ SS# _____
 Title: _____ Ownership: _____% *Attach Photo ID*
 **Alternate Address _____

▪ Name _____ SS# _____
 Title: _____ Ownership: _____% *Attach Photo ID*
 **Alternate Address: _____

****If there is not an alternate address, please provide explanation:** *Works out of home* *Other* _____

Disclosure: Social Security Number (SSN) will not be a part of public record, in accordance of 42 USC 666.

Office Use - Only

<input type="checkbox"/> Approve for Issuance <input type="checkbox"/> Schedule for Interview <input type="checkbox"/> Denied – Agenda for Board <input type="checkbox"/> Hold for _____ Board Member: _____ Date: _____	Staff <input type="checkbox"/> Letter <input type="checkbox"/> WC for TN <input type="checkbox"/> Other: _____ <input type="checkbox"/> Complaints: _____ <input type="checkbox"/> License Issued _____
---	---

In accordance of T.C.A. § 62-6-501; please answer on behalf of "You" for ALL owners, officers or individuals associated with this entity's business, including key personnel who will be acting on behalf of the business, to be best of your knowledge:

LICENSE/BUSINESS HISTORY DISCLOSURE (See T.C.A. § 62-6-506; and 510) *If marked "Yes", attach an explanation

- 3. ___ * Yes ___ No Have you held a Contractor, Home Improvement or other trade license, in Tennessee or another State?
4. ___ *Yes ___ No Have you, had a license denied, suspended or revoked, in Tennessee or any other State; or associated with any business as an employee, which had a license denied, suspended or revoked?
5. ___ *Yes ___ No Do you provide mortgage loans or act as a lender? If yes, may be a conflict of interest.

CRIMINAL HISTORY DISCLOSURE (See T.C.A. §62-6-510) *If marked "yes", attach an explanation

- 6. ___ *Yes ___ No Have you or anyone associated with this business, ever been convicted of a felony?
If *yes, please provide: 1) ___Charging document 2)___Disposition (proof of any sentence or court order)
3) ___Probation release 4) ___Criminal back-ground check

Failure to supply complete documentation may delay license consideration for issuance; non-disclosure may cause the license to be denied or revoked.

COMPLAINTS/JUDGMENTS DISCLOSURE (See T.C.A. § 62-6-502; 503; 506; and 509) *If marked "yes", attach an explanation

- 7. ___ *Yes ___ No Do you have judgments(s) rendered or pending for actions arising in the field of construction?
8. ___ *Yes ___ No Do you have a record of construction complaints, from any state, agency or consumer?
9. ___ *Yes ___ No Are you in violation of ___Soliciting; ___Contracting ; or ___ Performing Work, where a license is required?

INSURANCE & GENERAL INFORMATION (See T.C.A. § 62-6-506; 508; and 510)

- 10. Proof of General Liability Insurance ___ *Yes (Attached); ___ **No (**License cannot be issued – See page 9)
11. Employees: None; 1 to 5; More than 5;
12. Subcontractors Use Subcontractors No subs – Works directly for owner
13. Workers' Compensation Insurance Coverage for Tennessee: ___ *Yes - Attached ___ **No - Complete **page 8 and attach
14. Do you have more than one office location? ___ *Yes (List on page 4); ___ No
15. Are you aware, contracts must be in writing and prohibit taking more than 1/3 deposit ___ Yes ___ **No(see page 10)
16. ___ HAVE ___ HAVE NOT – Checked to ensure license name is not similar to another licensee: http://verify.tn.gov/
17. ___ Yes ___ *No – Aware of definition of employee (*No – see https://www.tn.gov/workforce/injuries-at-work/employers/employers/compliance/employee-misclassification.html)
18. Please read the laws, rules and regulations relative to contracts, payment and advertising (see page 10).

Please read carefully before signing and keep a copy for records!

(Copies may be submitted to include signatures of additional owners/officers)

18. As owners(s), I certify all questions on this application have been answered true and correctly, to the best of my knowledge. I understand failure to disclose all information as requested may result in license denial. If for any reason the \$10,000 surety bond, ILOC or insurance is canceled, notify the Board immediately to prevent formal disciplinary action taken, as license is considered invalid. Any change, including address, requires notification within 30 days. Further, I affirm I am over 18 years of age and read the law, rules and regulations, which may be obtained by the Board office or website.

Signature Print Name Date
Signature Print Name Date

*Attachments required on questions as referenced above

19. Reference & Experience Information (T.C.A. § 62-6-506)

The law requires providing a list of list of home improvement experience. Please list below and identify below the capacity in which the owner(s) of the business was employed as one of the following: **Contractor; Subcontractor; or Employee;** and also provide the total project cost as the **contract** amount. Include contact information for staff to verify experience from employer, customer or supervisor. Note: Sales does not qualify as home improvement experience. May provide an attachment or resume; an employee should provide their supervisor's name.

Type of Work Experienced to Perform:

Painting; Roofing; Swimming Pool; Porch/Deck/Garage; Gutters/Siding; Other: _____
 Fencing; Driveway; Room Addition; Landscaping; Windows/Doors;
 Masonry; Concrete; Foundations; Site Work; Framing
 HVAC; Ins. Restoration; Room Additions
 Remediation; Lead Paint; Asbestos; Mold; Meth

#1. Employed as: Contractor Subcontractor Employee of Contractor Sales

Name of Employer; or Customer: _____ Date: _____ to _____ Avg. Contract \$ _____

Address: _____

Telephone: _____ Email: _____

Type of Work Performed: _____ Supervisor: _____

#2. Employed as: Contractor Subcontractor Employee of Contractor Sales

Name of Employer; or Customer: _____ Date: _____ to _____ Avg. Contract \$ _____

Address: _____

Telephone: _____ Email: _____

Type of Work Performed: _____ Supervisor: _____

#3. Employed as: Contractor Subcontractor Employee of Contractor Sales

Name of Employer; or Customer: _____ Date: _____ to _____ Avg. Contract \$ _____

Address: _____

Telephone: _____ Email: _____

Type of Work Performed: _____ Supervisor: _____

#4. Employed as: Contractor Subcontractor Employee of Contractor Sales

Name of Employer; or Customer: _____ Date: _____ to _____ Avg. Contract \$ _____

Address: _____

Telephone: _____ Email: _____

Type of Work Performed: _____ Supervisor: _____

#5. Employed as: Contractor Subcontractor Employee of Contractor Sales

Name of Employer; or Customer: _____ Date: _____ to _____ Avg. Contract \$ _____

Address: _____

Telephone: _____ Email: _____

Type of Work Performed: _____ Supervisor: _____

20. Environmental Certifications (If *yes, attach copy of certifications):

*Yes No – Does not perform environmental remediation, such as lead based paint; asbestos; or meth.

21. Licenses from other Agencies/States (TCA § 62-6-506):

This page is optional; only applies to those who checked "Yes" on page 2 for questions 3 and 13; and if you resided at the address listed on page 1 for less than one year.

1. Please list all other trade licenses held in all states:
 ___ - See list of licenses as follows with history
 ___ - No other licenses have been obtained in Tennessee or any other state
 ___ - Not Applicable (Checked "No" on question #3, page 2)

NAME ON LICENSE	STATE	LIC#	TYPE	EXP. DATE	DISCIPLINED (Yes/No)

Business Locations/Headquarters

2. Please provide information on other similar businesses; locations or headquarters (including locations other than in Tennessee). ___Listed Below ___See Attachment ___Not Applicable (answered "No" on question #13, page 2)

Business Name	Address

Prior Address (Physical and Mailing Address) (See T.C.A. § 62-6-506):

3. If business address listed on page one (1) is *less than one year, please list prior address:
 *Not applicable - Resided more than one (1) year at location listed on page "1"

INSTRUCTIONS/CHECK-LIST

1. _____ Answer all questions in the application (pages 1 – 4; and 13) and supply *attachments
- _____ License “Name” should be as you operate; must be the same name as your bond and insurance.
_____ Check our website at: <http://verify.tn.gov/> to ensure the business name is not similar to others licensed.
_____ *Attach a copy of a photo ID (driver’s license of each owner/officer); attach page 13
2. _____ Attach explanation to items answered “Yes” and any other required additional information:

Attachments

- _____ Additional Owners / Office Locations - (questions 2, 11, and 13)
- _____ License Lists of Owners/Officers (question 3 – page 4)
- _____ Explanation of Revoked/Suspended Licenses (question 4)
- _____ Explanation of Lending Company (question 5)
- _____ Explanation of Felony Conviction (question 6)
- _____ Explanation of Judgments (question 7)
- _____ Explanation of Complaints / Violations (question 8)

3. _____ \$10,000 Proof of Financial Responsibility Attached (one of the following)
- _____ *Surety Bond (Must sign as principal - Include Power of Attorney) from Insurance company – see page 6
 - _____ *Irrevocable Letter of Credit (ILOC) (from bank – Board’s exact format- see page 7)

***Surety Bond and ILOC Must be in the exact format as provided (see pages 6-7) . There are no sample forms for “property or cash bonds”, as they need to be specially prepared from another source, such as an attorney or the bank. Note: These cannot be released for at least one (1) year!**

4. _____ Corporations and LLCs

_____ Attach copy of Charter or the Articles of Organization to show proof of the real and true owner(s,) pursuant T.C.A. § 62-6-502.
_____ Attach proof of registration with the Secretary of State, in the same **name** as on the bond (which is how you must operate). <https://sos.tn.gov/business-services>

5. _____ Check with IRS to see if required - FEIN Tax ID number: <https://sa1.www4.irs.gov/modiein/individual/index.jsp>

6. _____ Experience and Reference List - Please include a list (page 3); or may attach resume(s) providing same information. (Note: If no current experience is provided, a license cannot be approved)

7. _____ Insurance Attached (see page 8 and 9 for format): General Liability Workers’ Comp (Coverage in Tennessee)
- May verify WC coverage at: <https://www.ewccv.com/cvs/>

8. _____ Fee – **\$250.00** - Two (2) year biennial license. Attach a check or money order (no cash), made payable to “**State of Tennessee**” and mail to:

Board for Licensing Contractors –HI
500 James Robertson Parkway
Nashville, TN 37243-1150

If hand delivering application, take to the “Cashier’s Office” located at the mailing address listed above on f1st floor. Bring photo ID in order to sign in at security desk. Keep a copy of the application for your records! Status of application receipt and status is available at the “License Search” on the website at: <http://verify.tn.gov/>

9. _____ License Issuance – Requires Board approval and in most cases, a routine license may be processed within three weeks. For those requiring full Board review, see “[Public Meeting Calendar](#)” on the website for schedule. *Warning: If you operated work when a license was required, a complaint for unlicensed activity may prevent license approval.*

10. _____ Register your email address for important notices of law and rules changes at: [Get Notified!](#)
- Due to the cost of postage, notices are sent by email



STATE OF TENNESSEE
 DEPARTMENT OF COMMERCE AND INSURANCE
 BOARD FOR LICENSING CONTRACTORS
 Mailing Address: 500 James Robertson Pkwy., Nashville, TN 37243-1150
 (615) 741-8307 or 800-544-7693 or Fax (615) 532-2868
<https://www.tn.gov/commerce/regboards/contractors.html>

TENNESSEE HOME IMPROVEMENT CONTRACTOR'S SURETY BOND

Bond # _____

BE IT KNOWN, that we _____
 (Name as to be on License)

of _____,
 (Mailing and Physical Address)

as principal, and _____
 (Name of Surety Company)

as surety, are held and firmly bound unto the State of Tennessee, for the benefit of all owners, as defined by *Tennessee Code Annotated*, Title 62, Chapter 6, undertaken by the principal in the full and just sum of ten thousand dollars (\$10,000.00) for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal has applied to the Tennessee Board for Licensing Contractors for a license as a Home Improvement Contractor; and

WHEREAS, under the provisions of Public Chapter 460, Title 62, chapter 6, Section 506 of Tennessee Code Annotated, and as amended, the principal is required to file this bond in order to obtain said license.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH that, if the above bounden principal shall comply in all respects with Title 62, Chapter 6, of Tennessee Code Annotated, and the regulations promulgated thereto, then this obligation shall be void otherwise to remain in full force and effect.

PROVIDED, HOWEVER, this bond may not be construed to require the surety to be responsible for the completion of any home improvement contract entered into by the principal on this bond.

PROVIDED, FURTHER, this bond may not be construed to require the surety to be responsible for damages arising from any breach of a home improvement contract, if such contract was entered into after the inactivation, expiration or revocation of the contractor's license.

This bond shall become effective on the _____ day of _____, 20____, and shall be continuous; however, each annual renewal period or portion thereof shall constitute a new bond term. Regardless of the number of years this bond may remain in force, the liability of the surety SHALL not be cumulative, and the aggregate liability of the surety for any and all claims, suit or action under this bond shall not exceed the sum of \$10,000.00. The surety may cancel this bond by giving thirty (30) days notice to the Tennessee Board for Licensing Contractors and principal by certified mail of such cancellation, it being understood that surety shall not be relieved of liability that may have accrued under this bond prior to the date of cancellation.

Witness our hands and official seals this _____ day of _____, 20_____.

 NAME OF COMPANY (As to be Licensed)

 NAME OF SURETY

***X**

 SIGNATURE OF PRINCIPAL (Contractor)

 ADDRESS OF SURETY

DATE: _____

 NAME OF SURETY AGENT

(SEAL)

 SIGNATURE OF SURETY AGENT

 ADDRESS OF SURETY AGENT

THIS BOND IS ISSUED IN ACCORDANCE WITH THE PROVISIONS OF PUBLIC CHAPTER 460; OF *TENNESSEE CODE ANNOTATED*. SHOULD THERE BE ANY CONFLICT WITH THE TERMS THEREOF, AND THE STATUTE, THE STATUTE OR REGULATION SHALL PREVAIL. (POWER OF ATTORNEY FROM AN APPROVED INSURANCE COMPANY MUST BE ATTACHED.)

Bond cannot be released for one (1) year as follows: after expiration of license; or replacement of other financial responsibility.

SAMPLE - IRREVOCABLE LETTER OF CREDIT

(This form MAY be supplied in lieu of the \$10,000 Surety Bond)

(NOTICE: It must remain on file for one (1) year after the license expiration or inactivation)

State of Tennessee
Board for Licensing Contractors
Home Improvement Section
500 James Robertson Pkwy.,
Nashville, TN 37243-1150

RE: Irrevocable Letter of Credit No. _____
Effective Date: _____
Expiration Date: _____

Board:

You have requested of (Name of Lending Institution) that we establish an irrevocable letter of credit which will remain available to (Applicant) for use in conducting home improvement residential remodeling business for which a license is being sought from the Tennessee Board for Licensing Contractors (Board).

We hereby establish an irrevocable letter of credit for these purposes in the amount of (Dollar Amount) which will be maintained for a period of one year from the date of license issuance, subject to no adverse change in your financial condition.

As a condition of this arrangement, it is our understanding you will inform us and the Board of any significant changes in your financial condition during the term of this commitment.

(Name of Lending Institution) may cancel this letter of credit by giving thirty (30) days written notice to the Board and licensee by certified mail, of such cancellation, it being understood that the lender shall not be relieved of liability that may have accrued under this letter of credit prior to the date of cancellation and that claims which arise during the effective period may be filed up to one year after this letter of credit expires.

Except so far as otherwise stated, this documentary credit is subject to the "Uniform Customs and Practice for Documentary Credits" fixed by the International Chamber of Commerce applicable at the date of this letter.

Yours truly,

(Bank Officer) (Date)

(Lending Institution)

Instructions

In order to obtain a Home Improvement license, the applicant must supply a form of financial responsibility in the form of a bond or this option, an Irrevocable Letter of Credit (ILOC) in the Board's exact format, and from an FDIC approved bank, savings and loan. For further clarification, contact the Board office at: 800-544-7693 or review our website at: <https://www.tn.gov/commerce/regboards/contractors.html> It cannot be released for one (1) year after license is inactivated.

Not Applicable

(WC Insurance or Exemption
Attached for each owner)

Workers' Compensation Insurance - Coverage Determination Questionnaire

(This questionnaire is required, only, if NOT submitting proof of workers' comp insurance coverage for Tennessee)

The following questionnaire has been developed to assist licensees and our staff to determine whether proof of workers' compensation (WC) insurance coverage or exemption requirements have been fulfilled for the purpose of obtaining a home improvement license. This is based upon changes in the law on March 1, 2011, Public Chapter 1149; and amendments of Public Chapter 422, effective October 1, 2011. Please check with your insurance carrier and/or the Department of Labor and Workforce Development to ensure you are properly covered or exempted. The Board does not regulate this law and only checks for licensing purposes. In addition, ensure your employees are not misclassified as independent contractors.

Employers have the option to supply proof of coverage or exemption on themselves. This option is not available to the employee; therefore, the employer must always carry coverage on their employee(s). A provision allows an employer with up to five (5) individuals as an **owner, officer, partner or LLC member** to be exempt from coverage by registering each owner/officer with the Tennessee Secretary of State as a **"Construction Services Provider"**. In some cases, the employer may be exempt from registering or covering themselves. However, corporations must provide one or the other. As always, check with your insurance agent to make sure you are properly protected and insured on a project. Also, you may check with the Department of Labor and Workforce Development's office: <http://www.tn.gov/labor-wfd/wcomp.html>

To register online as a **"Construction Services Provider"** for exemption with Tennessee Secretary of State's office, go to: <http://tnbear.tn.gov/wc/> or you may call at (615) 741-2286.

Home Improvement Contractor's License WC Questionnaire

1. If you check the **ONE** item below, **NOT EXEMPT**; must submit proof of **"Workers' Compensation Insurance"**
(Questionnaire is not required when submitting proof of insurance coverage – must ensure with insurance agent each owner/officer is also covered)

___ - One or More Employees – Must provide proof of Workers' Compensation coverage for Tennessee

❖ *Note: As an employer, the owner(s) or officer(s) may need to register with the Secretary of State should they not want to be covered under their current policy. Always check with your insurance company or the Department of Labor and Workforce Development to confirm whether you need to apply for an exemption.*

2. If you check **ALL** of the following, considered **EXEMPT** from submitting "Workers' Compensation Insurance" and must attach **"Construction Services Provider"** proof of registration. More information at: <http://tnbear.tn.gov/wc/>

___ - No Employee(s) on payroll; subcontractors hired to perform the work
___ - All owners/officers/members/partners are registered as a "Construction Services Provider", as required (see attached)
___ - Does not meet the criteria in section "3" below; see attached for registration for each owner/officer on license

(Note: Partnerships, who have not registered with the Secretary of State's "Corporate" section, must do so to obtain a "Control #")

3. If you check **ALL** of the following, you are **EXEMPT** from supplying "both" **Proof of Insurance** and **"Construction Services Provider"** registration, as a condition of licensure with the Board (always check with your insurance company or the Department of Labor to confirm):

___ - No Employees on payroll; and no Subcontractors hired to perform work
___ - Mode of Operation is: Sole Proprietor; Partnership; or LLC (Note: Corporations do not qualify to be exempt from "both")
___ - Perform the work directly for the property/project owner

4. Other: If considered **EXEMPT** from **BOTH** "Workers' Compensation Insurance" and registration as a "Construction Services Provider", please provide explanation or confirmation from the Department of Labor and Workforce Development:

___ - Exempt due to: _____

5. Signature of Authorized individual completing questionnaire for licensing.

X _____ Title: _____ Date: _____

For more information concerning the Workers' Compensation law relative to requirements, exemptions, definitions, the amount of exempt contractors allowed on a project, penalties, etc., please refer to the website of the Department of Labor and Workforce Development at: <http://www.tn.gov/labor-wfd/wcomp.html> To register for an exemption, go to: <http://tnbear.tn.gov/wc/>

NOTICE: Please check with your insurance carrier to ensure you are properly exempted or covered when obtaining minimum coverage to prevent paying penalties at the time of their audit.

SUPPLEMENTAL INFORMATION

(Note: Please keep supplemental information pages as guidance and part of your license records)

Pursuant T.C.A. § 62-6-111, all contractors must provide proof of **General Liability** (GL) insurance and in the format listed below (*there are no exemptions for GL coverage*). In addition, proof of **Workers' Compensation** insurance coverage for Tennessee or **exemption** must be supplied. (*Note: The law allows exemption to the owner(s)/officer(s) of the entity pursuant T.C.A. § 50-6-902(4).*) Licenses cannot be issued or renewed without supplying the required proof of insurance coverage or exemption

1) GENERAL LIABILITY

A "Certificate of Insurance" in the Board's required format and limits of coverage must be attached to the application. The Board has established the *minimum* amount of **coverage of \$100,000** to obtain general liability, however, please check with your insurance provider, as they may advise to apply for more or additional coverage, based upon your individual needs, risks and the number of projects. (*Note: Many insurance companies may have a minimum starting at \$300,000.*)

2) WORKERS' COMPENSATION

The law requires those in the construction industry to supply coverage for every employee. You must supply a "Certificate of Insurance" showing proof of Workers' Compensation (WC) coverage for Tennessee. If you have no employees; and licensed as a sole proprietor, partnership or LLC; do not hire subcontractors, you may obtain an exemption as the owner/employer for coverage. This law is regulated by the Department of Labor and Workforce Development and more information is available at: <http://www.tn.gov/labor-wfd/wcomp.html>

Law became effective March 1st, and amendments of Public Chapter 422 became effective October 1, 2011, to provide additional exemptions to owners and officers as the employer, who may elect not to be covered by WC insurance, or they may register to obtain an exemption from both requirements. **Corporations** must supply proof of coverage; or they may apply for an exemption; not exempt from both (*similar to the former I-6 exemption form*). Registration for an exemption is available online at: <http://tnbear.tn.gov/wc/>

T.C.A. § 50-6-102(10) (A) "Employee" includes every person, including a minor, whether lawfully or unlawfully employed, the president, any vice president, secretary, treasurer or other executive officer of a **corporate** employer without regard to the nature of the duties of the corporate officials, in the service of an employer, as employer is defined in subdivision (11), under any contract of hire or apprenticeship, written or implied."

Format for Proof of Insurance

The Board requests a **Certificate of Insurance** (*available from your insurance agency*) which lists a **policy number** (*not binder or account number*), a **beginning and expiration date**, and **limits** of the insurance. The **name on the license** must match the **name in the insured box**. The "Contractor's Board" must be listed as the certificate holder for the insurance company to notify of any cancellation.

Limits required to be listed on Certificate of Insurance for General Liability

The following information should be provided on the "Certificate of Insurance":

- Each occurrence (this value must comply with minimum requirements listed above)
- Damage to Rented Premises (each occurrence)
- Medical Expense (any one person)
- Personal & Adv Injury
- General Aggregate
- Products- comp/op agg

Submitting Proof of Insurance (*Please do not send separately*)

Always attach proof of insurance to the application form. Do **not** send a "Certificate of Insurance" **separate**. If for any reason your insurance is changed while the license is active, you must notify the Board. Otherwise, the license may be made inactive if we receive a cancellation notice. Always supply with a cover letter with the license ID# or attach to the "**Notice of Insurance**" (*form from our website*) stating the purpose, otherwise, it is scanned to add to the master file.

Employer Handbook/Resources

The Department of Labor and Workforce Development has many publications available from their website, including employer guidelines for insurance (workers' comp/unemployment); safety; etc. at: <https://www.tn.gov/workforce/injuries-at-work/employers.html>

CONTRACT GUIDELINES - INFORMATION

The contractor's law for home improvement requires the following to be provided in all contracts:

- (1) Contracts must be in legible writing and contain the complete agreement between the owner and the home improvement contractor;
- (2) State the full names and addresses of all parties, the license number of the home improvement contractor, the date when executed by the parties and contain a description of the work to be done and the goods to be used;
- (3) Be completed in full without any blank spaces to be filled in after the contract is signed by the owner and clearly describe any other documents which are to be incorporated, and shall contain the following notice directly above the space provided for the signature of the owner: "NOTICE TO OWNER: Do not sign this contract if blank. You are entitled to a copy of the contract at the time you sign";
- (4) Contain the approximate dates when the work will begin and be substantially completed;
- (5) Contain the agreed upon consideration for the work;
- (6) Contain a notice that all home improvement contractors must be licensed by the board and that any inquiries about a contractor should be transmitted to the board's office;
- (7) Contain all other matters upon which the parties lawfully agree;
- (8) Not contain any power of attorney to confess judgment. No sales person, agent or employee of the home improvement contractor shall be authorized to make any changes in the agreement on behalf of the owner;
- (9) Before accepting more than 1/3 down payment prior to contracting, must include disclosure in written contract and schedule of payments; and
- (10) Must operate and advertise in the name as licensed; must reference license number.
- (11) **NEW!** Roofers paid by insurance claims must add the right to cancel in contract ([see Public Chapter 821](#))
[July 1, 2012 - Public Chapter 821 - Consumer Protection with Roofing Contracts](#) - Consumers will have the right to cancel a roofing contract within three (3) days after a claim is denied by the insurance company. Roofing contractors whose work is covered by insurance will need to include specific language in their contracts to this effect. A roofer would not need a separate license with the Insurance Division unless they want to also do business as a "[Public Adjuster](#)" as defined by T.C.A. § 56-6-902.

The above is an abbreviated list of the home improvement law. Please review in it's entirety by requesting a copy from the Board office or download from the website at <https://www.tn.gov/commerce/regboards/contractors.html>

Acts Prohibited

NEW! Effective July 1, 2010 - Public Chapter 1055 – Felony/Criminal Violation for home improvement services providers when accepting payment without completing work, etc. [TCA § Titles 39, 47, and 62].
Review from our website at: <https://publications.tnsosfiles.com/acts/106/pub/pc1055.pdf>

T.C.A. § 62-6-133, prohibits home improvement contractors from having a controlling ownership in the lender providing a mortgage loan or from acting as a co-signer for home improvement work. Violation of this law is considered an unfair or deceptive act under the Consumer Protection Act, pursuant title 47, chapter 18, part 1 and may result in civil penalties up to \$25,000. <https://www.tn.gov/commerce/regboards/contractors/rules-and-laws.html>

Local Government / Municipality's Licensing and Permits

Always check with the local codes or permit office for their requirements and inspections. The home improvement license does not cover electrical or plumbing or any residential work of \$25,000 or more (state contractor's license required). Note: An additional permit bond may be required by local codes offices. <http://tn.gov/local/> Pursuant T.C.A. § 62-6-137, the permit must be obtained by the prime contractor; the one contracting directly with the owner. A subcontractor is one who contracts directly with the prime contractor, and not the homeowner.)

You may check the status of a home improvement license from our website or at: <http://verify.tn.gov/>

RESOURCES

- Rule updates are available online at: <https://publications.tnsosfiles.com/rules/0680/0680.htm> (Home Improvement Section is under 0680-7)
- The law may be reviewed at the Board's website at: <https://www.tn.gov/commerce/regboards/contractors/rules-and-laws.html> (Home Improvement section is under Title 62, Chapter 6 and Part 5 (T.C.A. § 62-6-501)

- Register your email address to receive important notices of law and rules changes at: [Get Notified!](#)
- Workers' Compensation Requirements: <http://www.tn.gov/labor-wfd/wcomp.html>
- Workers' Compensation Exemption Registration (Owner/Employer): <http://tnbear.tn.gov/wc/default.aspx>
- Local Government Contact Information (City and County): <https://www.tn.gov/revenue/for-local-governments.html>
- Other Regulatory Boards: <http://www.tn.gov/commerce/boards/index.shtml>
- Tennessee Secretary of State (Corporate Registration): <https://sos.tn.gov/business-services>
- One Stop Tax (Business Tax Licenses for each City/County): <https://tntap.tn.gov/eservices/>
- Department of Revenue: <http://tn.gov/revenue/>
- Internal Revenue Service for FEIN#: <https://irs-ein-tax.com>
- Employee vs. Subcontractor - Definition: <https://www.tn.gov/workforce/injuries-at-work/employers.html>
- Unemployment Insurance: <http://www.tn.gov/labor-wfd/Employers/employers.html>

WEATHERIZATION ASSISTANCE PROGRAM (WAP)

For details on becoming certified as a weatherization contractor, contact the Department of Human Services at: <https://thda.org/business-partners/weatherization>

LEAD ABATEMENT

Lead abatement remodelers are required to be certified through the Department of Environment and Conservation and may be contacted at 1-888-771-5323 or their web site at: <https://www.tn.gov/environment/toxic-substances-program/lead-hazard-program.html>

Quick facts on EPA's Renovation Repair and Painting (RRP)

Fully effective on April 22, 2010 - Firms must be certified, workers must be trained, and follow specific lead-safe work practices for work performed in pre-1978 homes and child-occupied facilities, if lead paint is disturbed, impacts general contractors, carpenters, painters, electricians, plumbers, "handymen", window and door replacement crews, etc.

Time Line for Lead Abatement Requirements

- Now – Contractors that disturb paint in buildings built prior to 1978 must distribute EPA's new Renovate Right brochure, (Renovate Right is available at www.epa.gov/lead/pubs/renovaterightbrochure.pdf).
- Summer 2009 – Appropriate staff can take training course to become certified, once trainers are accredited.
- October 2009 – Firms can apply for EPA or state certification.
- April 2010 – Businesses engaged in renovation, repair or painting activities in buildings built prior to 1978 must be certified, use trained workers, and follow specific lead-safe work practices to prevent lead contamination.

For more information, the Environmental Protection Agency's website is at: www.epa.gov/lead

Please check with the Department of Environment and Conservation relative to requirements environmental or hazardous material removal. Their websites are at:

MOLD REMEDIATION

<https://www.tn.gov/health/cedep/environmental/healthy-homes/hh/mold.html>

METH CLEANUP

<https://www.tn.gov/environment/program-areas/rem-remediation/meth.html>

ASBESTOS ABATEMENT

<https://www.tn.gov/environment/program-areas/asbestos-program/sw-accreditations-for-asbestos-professionals.html>

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
REGULATORY BOARDS DIVISION
500 JAMES ROBERTSON PARKWAY
DAVY CROCKETT TOWER
NASHVILLE, TENNESSEE 37243

Eligibility Verification for Entitlements Act Attestation Instructions

INSTRUCTIONS: If you are a natural person applying for a license, registration, certification or other benefit you must:

1. Attest, under penalty of perjury, to your status as either a United States citizen, a qualified alien as defined in Tennessee's Eligibility Verification for Entitlements Act, or a foreign national not physically present in the United States, by selecting your status in Part A below signing on the line labeled "Applicant's Signature," printing your name on the line labeled "Printed Name" and putting the current date on the line labeled "Date."

AND

Do one (1) of the following:

2. If you are claiming United States citizenship, present one (1) of the forms of identification provided for in Part B below. **If you provided your Social Security Number as part of your application for licensure, registration, certificate or other benefit, no additional documentation is required; however, please be aware that efforts may be made to verify any such number.**
3. If you are claiming qualified alien status, present two (2) forms of documentation of identity and immigration status, as determined by the United States Department of Homeland Security to be acceptable for verification through the SAVE program, as provided in Part C below.
4. If you are claiming qualified alien status but you are unable to present two (2) forms of documentation provided for in Part C of this form, then you shall present at least one (1) such document that shall then be verified through the SAVE program.
or
5. If you are claiming you are foreign national not physically present in the United States, contact the program issuing the license, registration, certification or other benefit for which you are applying to provide such documentation as may be required to verify such status.

Eligibility Verification for Entitlements Act Attestation

Part A. Eligibility Verification for Entitlements Act Attestation

I hereby attest under penalty of perjury that I am (select one):

_____ A United States citizen;

_____ A qualified alien as defined in Tenn. Code Ann. § 4-58-102;1

_____ A foreign national not physically present in the United States. Further, I understand that should I ever become physically present in the United States while I hold this license, registration, certification or other benefit I agree to immediately contact the issuing agency and provide documentation to confirm my status as a qualified alien.

Applicant's Signature

Printed Name

Date

Submitting false information or omitting pertinent or material information in connection with this application or any violation of the Eligibility Verification for Entitlements Act may result in the revocation of any license, registration, certification or other benefit issued to the applicant. A person who willfully makes a false, fictitious or fraudulent statement or representation of United States citizenship may be prosecuted under 18 U.S.C. § 911 and/or the False Claims Act, T.C.A. §§ 4-18-101, *et seq.*

¹ Qualified alien means "A qualified alien as defined by 8 U.S.C. § 1641(b)" or "An alien or nonimmigrant eligible to receive state or local public benefits under 8 U.S.C. § 1621(a)." Pursuant to those statutes, this includes, but is not necessarily limited to:

- An alien who is lawfully admitted for permanent residence under the Immigration and Nationality Act [8 U.S.C. § 1101 *et seq.*];
- An alien who is granted asylum under section 208 of the Immigration and Nationality Act [8 U.S.C. § 1158];
- A refugee who is admitted to the United States under section 207 of the Immigration and Nationality Act [8 U.S.C.A. § 1157];
- An alien who is paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act [8 U.S.C. § 1182(d)(5)] for a period of at least 1 year;
- An alien whose deportation is being withheld under section 243(h) of the Immigration and Nationality Act [8 U.S.C. § 1253] (as in effect immediately before the effective date of section 307 of division C of Public Law 104-208) or section 241(b)(3) of the Immigration and Nationality Act [8 U.S.C. § 1231(b)(3)] (as amended by section 305(a) of division C of Public Law 104-208);
- An alien who is granted conditional entry pursuant to section 203(a)(7) of the Immigration and Nationality Act [8 U.S.C. § 1153(a)(7)] as in effect prior to April 1, 1980;
- An alien who is a Cuban and Haitian entrant (as defined in section 501(e) of the Refugee Education Assistance Act of 1980);
- A nonimmigrant under the Immigration and Nationality Act [8 U.S.C. §§ 1101, *et seq.*];
- An alien who is paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act [8 U.S.C. § 1182 (d)(5)] for less than one year.

Eligibility Verification for Entitlements Act Additional Required Documentation

Part B. If you are claiming United States citizenship, you must present one (1) of the following:

- A valid Tennessee driver license or photo identification license issued by the Department of Safety;
- A valid driver license or photo identification license from another state where the issuance requirements are at least as strict as those in Tennessee, as determined by the Department of Safety;
- An official birth certificate issued by a state, jurisdiction or territory of the United States, including Puerto Rico, United States Virgin Islands, Northern Mariana Islands, American Samoa, Swains Island, or Guam; provided that Puerto Rican birth certificates issued before July 1, 2010, shall **not** be recognized;
- A United States government-issued certified birth certificate;
- A valid, unexpired United States passport;
- A United States certificate of birth abroad (DS-1350 or FS-545);
- A report of birth abroad of a citizen of the United States (FS-240);
- A certificate of citizenship (N560 or N561);
- A certificate of naturalization (N550, N570 or N578);
- A United States citizen identification card (I-197, I-179);
- Any successor document of those listed at Tenn. Code Ann. §§ 4-58-103(c)(4)-(9); or
- **A social security number that may be verified with the Social Security Administration in accordance with federal law (if you provided your social security number as part of your application for licensure, no additional documentation is required; however, please be aware that efforts may be made to verify any such number).**

Part C. If you are claiming qualified alien status, you must present two (2) forms of documentation of identity and immigration status, as determined by the United States Department of Homeland Security to be acceptable for verification through the SAVE program. Such forms of identification may include:

- I-327 (Reentry Permit);
- I-551 (Permanent Resident Card);
- I-571 (Refugee Travel Document);
- I-766 (Employment Authorization Card);
- Certificate of Citizenship;
- Naturalization Certificate;
- Machine Readable Immigrant Visa (with Temporary I-551 Language);
- Temporary I-551 Stamp (on passport or I-94);
- Unexpired Foreign Passport;
- WT/WB Admission Stamp in Unexpired Foreign Passport
- I-20 (Certificate of Eligibility for Nonimmigrant (F-1) Student Status);
- DS-2019 (Certificate of Eligibility for Exchange Visitor (J-1) Status);
- Any other document determined by the U.S. Department of Homeland Security to be acceptable through the Systematic Alien Verification for Entitlements (SAVE) program created pursuant to the federal Immigration Reform and Control Act of 1986.

Part D. If you are claiming qualified alien status, but you are unable to present two (2) forms of documentation as described in Part C, then you shall present at least one (1) such document as described in Part C, which shall then be verified through the SAVE program.

Part E. If you are claiming that you are a foreign national not physically present in the United States, please contact the program issuing the license, registration, certification or other benefit for which you are applying to provide such documentation as may be required to verify such status.

TENNESSEE BOARD FOR LICENSING CONTRACTORS



HOME IMPROVEMENT CONTRACTORS LICENSE LAW RULES AND REGULATIONS

Be sure to review the Home Improvement Laws, Rules and Regulations for specific consumer protection language requirement for contracts.

Home Improvement Law: <https://www.tn.gov/content/dam/tn/commerce/documents/regboards/contractors/posts/ContHILaw.pdf>

Home Improvement Rules and Regulations: <http://publications.tnsosfiles.com/rules/0680/0680.htm>

Board for Licensing Contractors/Home Improvement Website: <https://www.tn.gov/commerce/regboards/hi.html>

Sign up for Notifications: [Get Notified!](#)