

Tennessee Board for Licensing Contractors

Meeting Minutes

May 19, 2026 · Davy Crockett Tower, Hearing Room 1B · Nashville, Tennessee

Presiding: Bill Dement, Vice Chair

Meeting type: Regular Board Meeting and Rulemaking Hearing

Attendance

Board members present:

- Bill Dement — Jackson
- Reese Smith — Franklin
- Mark Brodd — Knoxville
- Andy Allen — Johnson City
- Lee Carter — Nashville
- Keith Whittington — Johnson City
- Randy Chase — Nashville

Staff and counsel present included Chris Burkhart, Executive Director; Janine Miller, Board Staff; Kathy Holliman, Board Staff; Kyle Johnson, Associate General Counsel; Kimiya Sarayloo, Associate General Counsel; Sierra Shepard; Associate General Counsel

Call to Order

Vice Chair Bill Dement called the meeting to order.

Agenda and Prior Minutes

The Board amended the agenda to add the rulemaking hearing as the first item of business and to remove the ADA compliance presentation from new business, deferring it to a future meeting.

Motion to adopt the amended agenda made by Keith Whittington; seconded by Mark Brodd. The motion passed by voice vote.

Motion to approve the prior meeting minutes made by Mark Brodd; seconded by Andy Allen. The motion passed by voice vote.

Rulemaking Hearing

Kyle Johnson, Associate General Counsel, conducted the rulemaking hearing.

Rules Chapters 0680-01 and 0680-08

- Permit a mode-of-operation change application to function as a renewal when submitted during the renewal period.
- Establish requirements for joint ventures combining monetary limits.
- Add fees for certain applications, including monetary-limit increases, classification revisions, and name changes.
- Remove outdated Go Build Tennessee funding references.

Rules Chapters 0765-01 and 0765-02

- Repeal obsolete rules of the former Home Improvement Commission.

No written or oral public comments were received on either set of proposed rules.

The Board discussed whether written joint-venture agreements must be submitted with applications. Staff clarified that the agreements would not routinely be filed with an application, but the Board could request them when reviewing experience obtained after the effective date of the rule.

Motion to adopt the hearing-rule language for Chapters 0680-01 and 0680-08 made by Lee Carter; seconded by Mark Brodd. Roll-call vote: Randy Chase — approved; Keith Whittington — yes; Lee Carter — approved; Bill DeMent — approved; Andy Allen — yes; Mark Brodd — yes; Ree Smith — yes. Motion passed.

Motion to adopt the hearing-rule language for Chapters 0765-01 and 0765-02 made by Reese Smith; seconded by Mark Brodd. Roll-call vote: Randy Chase — yes; Keith Whittington — yes; Lee Carter — approved; Bill DeMent — approved; Andy Allen — yes; Mark Brodd — yes; Ree Smith — yes. Motion passed.

Motion to adopt the regulatory flexibility addendum, local-government impact statement, and Joint Government Operations Committee questions and answers for Chapters 0680-01 and 0680-08 made by Mark Brodd; seconded by Keith Whittington. Roll-call vote: Randy Chase — approved; Keith Whittington — yes; Lee Carter — approved; Bill Dement — approved; Andy Allen — yes; Mark Brodd — yes; Ree Smith — yes. Motion passed.

Motion to adopt the corresponding documents for Chapters 0765-01 and 0765-02 made by Randy Chase; seconded by Reese Smtih. Roll-call vote: Randy Chase — approved; Keith Whittington — yes; Lee Carter — approved; Bill Dement — approved; Andy Allen — yes; Mark Brodd — yes; Ree Smith — yes. Motion passed.

Staff advised that the rules would proceed through review by the Governor's Office, Attorney General, Secretary of State, and Joint Government Operations Committee before becoming effective.

License Reviews and Approvals

Motion to approve initial contractor applications with waived interviews made by Mark Brodd; seconded by Keith Whittington. The motion passed by voice vote.

Motion to approve contractor revisions, monetary-limit increases, classifications, mode changes, and name changes made by Keith Whittington; seconded by Andy Allen. The motion passed by voice vote.

Motion to approve LLE, LLP, and Home-Improvement licenses made by Keith Whittington; seconded by Mark Brodd. The motion passed by voice vote.

Motion to approve applications with factors and no interviews made by Keith Whittington; seconded by Mark Brodd. The motion passed by voice vote.

Motion to approve fresh start act pre-approvals made by Andy Allen; seconded by Keith Whittington. The motion passed by voice vote.

During review of the initial applications, the Board identified a likely typographical error showing a \$30 million limit for one applicant. Staff clarified that the intended amount was \$3 million.

Continuing Education Provider

The Board reviewed additional courses submitted by Cloud Crushed. A concern was noted regarding the instructors having approximately four years of instructional experience. Staff advised that no rule prohibited approval on that basis.

Motion to approve made by Andy Allen; seconded by Mark Brodd. The motion passed by voice vote.

New Business

Texas Reciprocity Agreement

The Board reconsidered the proposed electrical reciprocity agreement with Texas. Texas was unable to remove its journeyman-license requirement because the requirement is established by Texas law. Staff recommended approval because Tennessee licensees would still receive a trade-examination waiver if they met Texas's remaining requirements.

Motion to approve the agreement and authorize Executive Director Chris Burkhardt to sign on the Board's behalf after Texas completes its approval process made by Keith Whittington; seconded by Andy Allen. The motion passed by voice vote.

LLE License No. 46391 — Renewal Denial

The Board reviewed a renewal application involving a September 2025 conviction for assault and battery of a high and aggravated nature and a 15-year sentence.

- The violent felony was directly related to consumer protection.
- The conviction affected the applicant's ability and fitness to perform licensed duties.
- The applicant could not supervise work while incarcerated.
- There was insufficient evidence of rehabilitation.

Motion to approve the recommended denial, with reapplication permitted after completion of the sentence, made by Lee Carter; seconded by Andy Allen. The motion passed by voice vote.

LLE License No. 63873 — Initial Application Denial

The Board reviewed an initial application involving a 2023 felony theft conviction involving more than \$60,000, a 2024 conviction for possession of a handgun by a convicted felon, and continuing supervised probation.

The Board found a strong relationship between the offenses and consumer protection, access to customer property, and handling customer funds.

Motion to approve the recommended denial, with reapplication permitted after completion of probation and demonstration of rehabilitation, made by Andy Allen; seconded by Mark Brodd. The motion passed by voice vote.

License No. 77313A — Monetary Increase Denied

The Board upheld the denial of a requested \$3 million BCA monetary-limit increase. The applicant's documented experience was limited primarily to roofing and did not demonstrate sufficient ground-up residential construction or remodeling experience.

Motion to approve the denial made by Keith Whittington; seconded by Reese Smith. The motion passed by voice vote.

License No. 82554 — Classification Addition Denied

The Board upheld the denial of a request to add the BCA classification. The applicant's listed projects reflected CMCA plumbing work and did not demonstrate adequate BCA experience.

Motion to approve the denial made by Andy Allen; seconded by Mark Brodd. The motion passed by voice vote.

Legal Report

Case No. 2026015831. The Board reviewed a matter involving two unlicensed contracts valued at approximately \$748,500 and \$590,000. The work involved shingle roofing, gutters, and downspouts. The recommendation was amended to authorize charges for two instances of unlicensed contracting only. Staff was asked to identify the general contractor whose license number may have been used.

Case No. 2026008021. The recommendation was amended to close the matter based on the respondent's representation that the respondent did not enter the contract or act as contractor and understood the limitations of the license classification.

Case No. 2026008561. The respondent had filed Chapter 11 bankruptcy and allegedly failed to pay a contractor for two projects. After discussion, the Board rejected the initial recommendation to close with a warning and instead amended the recommendation to authorize formal charges based on lack of financial stability under Tennessee law.

The amended recommendation sought suspension of the respondent's license until updated financial statements are submitted, the Board reviews the updated financial information, and the Board determines an appropriate monetary limit. Staff explained that suspension would occur through settlement or after a formal hearing because the respondent is entitled to due process.

Case No. 2026012281. The recommendation was amended to close with a letter of warning stating that all electrical installations must be properly permitted, inspected, and conform to the National Electrical Code.

Case No. 2025070521. The Board discussed retaining a \$750 civil penalty for failure to cooperate with the investigator. After staff explained that the respondent believed the matter had been resolved directly with the complainant and that the complainant requested closure, the Board agreed to close the matter.

Legal Report Approval

Motion to adopt the legal report as amended made by Lee Carter; seconded by Andy Allen. The motion passed by voice vote.

Legislative Update

Staff reported that Senate Bill 2224 / House Bill 2530 had passed and was awaiting the Governor's signature.

- Allow surety bonds in lieu of financial statements for monetary-limit purposes.
- Combine LLP and LLE funds into the contractor fund.
- Define the total cost of a project as the aggregate value of labor, materials, equipment, subcontracted work, overhead, profit, and other project expenses, regardless of who pays or how many contracts are used.

The surety bond would generally equal 50% of the requested monetary limit. If a surety bond is canceled, the contractor license would automatically become inactive. Staff anticipated future rulemaking and forms to implement the new surety-bond option. No Board action was required.

Executive Director's Report

The Executive Director reported continued growth in initial applications and reinstatements compared with the prior year.

- The Executive Director is now approving initial home-improvement applications under a policy approved at the previous meeting.
- Staff is working with the State Fire Marshal's Office regarding permit applications that should identify total project cost.
- Staff is discussing concerns regarding limited licensed electricians performing work exceeding statutory monetary thresholds.

Examination Provider Transition

Staff announced that PSI's contract would end June 30, 2026, and a new examination provider, Prov, had been selected through procurement.

The Board raised concerns about validation of examination questions, consistency with Tennessee trade requirements, preservation of prior examination-development work, transition arrangements for candidates already scheduled with PSI, differences in examination cost, and the need for a side-by-side review of PSI and Prov examinations.

Staff agreed to obtain additional information and report back. A special electronic meeting could be called if action was needed before the next regular meeting.

Public Comment

Molly Cooper of Rogersville, Tennessee, addressed the Board regarding repeated unlicensed contracting and concerns arising from an audit involving local officials.

- The Board's authority over unlicensed contracting is limited primarily to civil penalties.
- Matters involving city officials or local code enforcement may fall under the State Fire Marshal's Office or another jurisdiction.
- Criminal concerns should be directed to local law enforcement.
- Private civil claims should be discussed with private legal counsel.
- Complaints pending before the Board must remain anonymous during Board proceedings.

Staff agreed to follow up with the State Fire Marshal's Office and assist Ms. Cooper in identifying the appropriate contact.

Next Meeting

Staff advised that the next meeting was expected to span two days and that a formal hearing was currently scheduled for the 29th.

Adjournment

Motion to adjourn made by Lee Carter; seconded by Reese Smith. The motion passed, and the meeting was adjourned.