

Frequently asked questions to become licensed as a Residential HVAC Contractor

In accordance with S.C. Code of Laws Section 8-29-10 and a SC Attorney General Opinion dated March 3, 2014, DACA status recipients are not eligible to receive a professional license in South Carolina.

Q. How can I obtain an application to become licensed as a Residential HVAC Contractor in the State of South Carolina?

A. Go to the Residential Builders website at <https://llr.sc.gov/res/> and click on **Apply For a License**, then click on the **Residential Specialty Contractor Heating and Air Conditioning Application** link and print the application form, or contact the Residential Builders Commission at 803-896-4696 and request that an application form be mailed to you. You may also apply electronically by going to the Online Electronic Applications section. Under this section you will need to download the applications under step 1 then click on the link under step 2 to complete the application.

Q. Once I have my Residential Specialty Contractor HVAC application what is my next step?

A. Submit the completed application form to the Residential Builders Commission and a \$100.00 application processing fee (certified check or money order) made payable to LLR- Residential Builders Commission along with copies of W-2s, 1099s, transcripts, certifications, photos, and any other documents to support your proof of HVAC work experience. Please enclose a complete copy of your credit report along with your application. We accept TransUnion, Experian or Equifax, we are not looking at your credit score, we need the complete report. Once the application has been received, the affidavit of one year of work experience will be sent to the individual(s) you listed on your application as your previous supervisor(s). Your supervisor is required to fill in the affidavit and mail the completed form to the Commission. Whomever you designate as supervisor must be a licensed residential HVAC contractor or other appropriately licensed professional engaged in residential HVAC work. The experience must have been gained within the preceding five (5) years of application. If you hold a license in good standing in SC or from another state, you will be required to provide the Commission with a license verification from the state in which you hold the license.

SECTION 40-59-250. Credit report; factors indicating reputation for timely performance; outstanding judgments.

(A) A person applying to the commission for licensure as a residential builder or registration as a residential specialty contractor must submit to a credit report. In addition to the information provided by the credit report, the commission may determine from the written application, the personal references provided by the applicant, written communications or complaints to the commission, and from any other reliable, documented sources whether an applicant for licensure as a residential builder or an applicant for registration as a residential specialty contractor has a reputation for the prompt payment of labor and material bills and for the timely completion of other contracts into which the applicant may have entered.

(B) The commission shall require the applicant to list on application and renewal forms any outstanding judgments issued against him or any entities with whom the applicant was associated for the past five years.

HISTORY: 2002 Act No. 359, Section 1.

Editor's Note

Prior Laws: 1994 Act No. 463, Section 1; 1976 Code Section 40-59-85.

Q. Can I share with license with my partner?

A. No, each person doing the work is required to apply for and be issued their own license.

Q. If I have a HVAC contractor license in another state, may I waive the SC examination?

A. The Commission currently has an exam waiver agreement with Alabama, but you would still be required to take and pass the SC Business Management and Law portion of the exam.

Q. Does the one (1) year of experience need to have occurred in SC?

A. No, it can be from any state or country.

Q. What if I do not have W2s or 1099s because I apprenticed under a licensed HVAC contractor and did not receive pay?

A. If you do not have W2s or 1099s, a Commission appearance will be required for experience review.

Q. If I have a college degree, will that waive the statutory one (1) year experience requirement?

A. No, it will be taken into consideration, but the Commission is looking for hands-on experience doing residential HVAC work. If you do not have one year of experience supervised by a licensed HVAC contractor or other appropriately licensed professional within the preceding five (5) year period, a Commission appearance will be required for experience review.

Q. What if I don't have a copy of my Social Security Card or State issued ID?

A. Your application will not be processed until you submit a photocopy of your Social Security Card and a photocopy of your State issued ID. To order a replacement social security card, please go to <https://www.ssa.gov/myaccount/replacement-card.html> .

The reason why we ask for the social security card is because state law requires we do so for child support enforcement purposes. Once we receive a copy of your social security card, we match it with the number on the application, and then we shred it. Similarly, we use the name on the driver's license to match the application to ensure that the person who applies for the registration can verify they are who they say they are.

I've cut and paste the statute below for your review:

SECTION 63-17-1080. Social Security numbers to be provided.

An applicant for a license or for renewal of a license shall submit the applicant's social security number, or the alien identification number assigned to a resident alien who does not have a social security number, to the licensing entity which must be recorded on the application.

Since this information is required by law, we are unable to process your application without it. Please let me know if you have any additional questions.

Q. Am I required to list a company name on my license?

A. No. We license the individual, not the company. We allow the licensee to list a company name if they intend to operate under a company name. If you intend to operate under a company name, then that company name must be affiliated with your license in our database.

Q. If I plan to operate under a company name, do I need to notify LLR?

A. Yes, you need to submit a request to add your company name to your license along with a photocopy of your Certificate of Existence/Authority from the SC SOS office, Articles of Organization from the SC SOS office, or Proof of Ownership for the company. The link to the SC Secretary of State can be found at <https://sos.sc.gov/online-filings/business-entities/file-and-search-online>. You may also find useful information at the South Carolina Business One Stop link <https://scbos.sc.gov/>.

Q. How do I list my company name on my HVAC license?

A. You must own a minimum 51% of the company in order to list it on your license. You will be required to provide the Commission with a photocopy of your Certificate of Existence/Authorization from the SC

Secretary of State as well as Articles of Incorporation and documentation establishing percentage of ownership. The link to the SC Secretary of State can be found at <https://sos.sc.gov/online-filings/business-entities/file-and-search-online>. You may also find useful information at the South Carolina Business One Stop link <https://scbos.sc.gov/>.

Q. Where do I find the Certificate of Authorization application, and what are the requirements?

A. The application can be found on the Commission website at <https://llr.sc.gov/res/PDF/Certificate%20of%20Authorization.pdf>. The certificate of authorization is a company license and requires that a resident licensee be in responsible charge of any residential HVAC services that the company offers.

Q. How long will it take to process my Residential HVAC application?

A. All applications will be reviewed by the Commission staff for accuracy and completeness within fifteen (15) business days. After this period of time, you can check the status of your application online at <https://eservice.llr.sc.gov/SSO/Login/LoginPage?ReturnUrl=%2fOnlineStatusCheck%2f> by entering the requested information. Any application that is incomplete, that does not provide the social security number, or that provides an incorrect social security number **will** be returned to the applicant. If additional information is requested, please allow fifteen (15) business days to process the new information once it has been received by the Commission. There are currently four (4) application processors for the entire state of SC and all paperwork is processed in the order in which it is received. Applications are valid for one year from the date of receipt. If your license is not issued within one year of receipt of the application, you will be required to reapply and repay the fees.

Q. Once my Residential Specialty Contractor HVAC application is approved, what do I do next?

A. Once a Residential HVAC application is approved by Commission staff, an Examination Eligibility Letter will be emailed/mailed to you. Your Examination Eligibility is valid for one year and you are allowed only three (3) attempts to pass the exam within a twelve (12) month period. You must pass both the Business Management and Law Exam and the Residential HVAC portions of the exam. If you do not pass the exam within the twelve (12) month period, you will be required to reapply. If you fail the exam three (3) times, you will be required to wait twelve (12) months from the last date you failed the exam before you will be authorized to take the exam again.

Q. Do I schedule my Residential HVAC Exam and Business Management and Law Exam with LLR?

A. No. The Residential HVAC and Business Management and Law exam are administered by PSI Examination Services (PSI) and every approved applicant will schedule his/her own exam and make payment (by certified check or money order) to PSI Examination Services. You may visit the PSI website at www.psiexams.com for more information on their fees and exam services.

Q. Can I obtain a SC Residential HVAC license if I am licensed in another state without having to take the SC exam?

A. Yes, you may waive the technical portion of the examination **only** if you hold a license from a state with which the Commission has an Exam Waiver Agreement. You must also meet all other licensing requirements and take and pass our Business Management and Law Exam. The Commission has an Exam Waiver Agreement with the following states for a HVAC license only:

- Alabama
- North Carolina
- Mississippi

Q. If I have a SC Mechanical Contractors license, can I obtain a SC Residential HVAC License without taking the Residential HVAC Exam?

A. Yes. A Residential HVAC license can be obtained without examination if you are licensed as a SC Mechanical Contractor with a HVAC classification or have taken the Master Heating and Air license by exam from the South Carolina Municipal Association (MASC). However, you must also meet all other licensing requirements and take and pass the SC Residential Business Management and Law Exam. All applicants must submit a completed Residential HVAC license application with documentation of a SC Mechanical Contractors license or a passing score on the Master Hearing and Air Exam from the MASC, with all fees and a \$10,000

surety bond (if undertaking projects that exceed \$5000 in labor and materials when added together) for review by the Commission. Here is the link to the approved bond form

<https://llr.sc.gov/res/PDF/LICENSE%20BOND.pdf> .

Q. Does the SC Residential Builders Commission recommend or have a list of schools, examination prep courses or seminars to help me prepare for the Residential HVAC Exam?

A. No. Examination prep courses and seminars are offered by individuals, businesses and technical schools or community colleges. The Commission is not affiliated with any of these individuals, businesses, or schools and does not sponsor, approve, or recommend any school or exam prep course or seminar to prepare for the Residential HVAC exam.

Q. After I have passed my Residential HVAC Exams with PSI, what is my next step?

A. After you have passed the Residential HVAC and Business Management and Law exam, you must submit the following information to the Commission staff:

- (1) A copy of your test results from PSI Testing Services.
- (2) A certified check or money order made payable to “LLR-Residential Builders Commission in the amount of \$160.00 if the license is issued more than twelve (12)

months before the next renewal date. If the license is issued for less than twelve (12) months before the next renewal date, then a certified check or money order made payable to “LLR- Residential Builders Commission in the amount of \$80.00.

(3) A surety bond in the amount of \$10,000 if undertaking projects that exceed \$5000 in labor and materials when added together, signed by you with the power of attorney attached. If the Commission has an original bond on the current bond form on file in its office, the staff can then accept a Bond Continuation Certificate in the future. The bond must be issued in your name as principal and not in a company or business name (unless it is a Certificate of Authorization Bond).

Q. Once receive a Residential HVAC license, how often do I have to renew my License?

A. The Residential HVAC License is renewable every two (2) years before June 30, of each odd year (2021, 2023, 2025, etc.). Per S.C. Code Ann. § 40-59-230(C), you are required to have a current mailing address on file with the Commission. The Commission mails a courtesy renewal notice in mid to late April. The Commission will also send a courtesy renewal reminder eblast during renewal season. It is the licensee’s responsibility to renew his or her license on time. There will be a late fee for all renewals received after June 30. Your license will lapse on June 30 if you do not renew it. Your license may remain inactive for up to three years before being required to reapply and retest per S.C. Code Ann. § 40-59-230(A).

Q. If I have a current Residential HVAC license, can I renew my license online?

A. Yes. To renew a current Residential HVAC License online, you need a checking account, Master Card, Visa, or American Express, your userid and password, and your current email address on file with the Commission. If you have misplaced your userid and password, the Commission now has a website that will provide this information to you. Go to <https://eservice.llr.sc.gov/SSO/Login/LoginPage?ReturnUrl=%2fOnlineRenewals%2f> where there is an option to click and retrieve your userid and password. Enter the required information and your userid and password will be emailed to you.

There will be a late fee for all renewals received after June 30. Your license will lapse on June 30 if you do not renew it. Your license may remain inactive for up to three years before being required to reapply and retest per S.C. Code Ann. § 40-59-230(A).

Q. What if I answer yes to a question on the Residential Specialty Contractor HVAC application?

A. You will be required to provide further documentation along with a written explanation and may be required to appear before the Commission for application review.

(1) If you answer yes to prior arrests/convictions, you will be required to submit a sealed criminal background report from the state(s) or federal agency in which the arrest(s) and/or convictions(s) occurred, along with a written explanation of what is listed in the report. Your request to the state/federal agency must include your full legal name, date of birth, and social security number or the report will not be accepted. If you have had a felony arrest/conviction in the preceding 10- year period, are currently on probation, have pending charges, are listed on the sex offender registry, or have a lengthy history, you will be required to appear before the

Commission for application review. You may be required to provide arrest warrants, court dispositions and probation status (if you are currently on probation or have been released from probation) to the Commission for review.

(2) If you answer yes to the question about judgments/liens, you will be required to submit documentation of satisfaction of the judgment/lien or a repayment plan to resolve it. If you are not currently in a repayment plan and the judgment/lien is outstanding, you will be required to appear before the Commission for application review.

The Commission staff runs a TransUnion credit check, checks the SC Public Index, and checks both the national and state sex offender registries. The Commission is not looking at your credit score, but is looking for outstanding liens/judgments as well as arrests, convictions, civil litigation, and pending cases. Just because you have an item on one or more of these sites does not necessarily mean you will be denied, but you may be required to provide additional information and may have to appear before the Commission for application review.

Q. What is a commission appearance, and what should I expect?

A. When you arrive for the Commission meeting, please use the front entrance of the Kingstree Building where you will be required to go through a metal detector and may be subject to search by the security guard. Failure to submit to a search will result in a denial of entry. Please be aware that concealable weapons, including, but not limited to guns, knives, mace, pepper spray, etc. are prohibited in the building and therefore should be left in your car. After you proceed through security, please sign in at the receptionist's desk where you will receive a visitor's badge. Once you have a visitor's badge, you may go to the meeting room where you will be required to sign an attendance sheet documenting your presence at the meeting.

The Commission Chairman will open the meeting and will address some preliminary agenda items. Individuals will be called to the podium one at a time when it is his or her turn. When it is your turn, you may present any documents and witnesses as you deem relevant to support your request. If you wish to submit documentary evidence, please bring at least nine (9) copies of each document so that the Commission members may have a copy. The staff will supply the Commission members with a copy of your application along with any other information that you may have already submitted. You and your witnesses will then be sworn in by a court reporter. You may present your witnesses by asking them direct questions or they may testify by giving summary testimony on their own. You and your witnesses are also subject to questioning by the Commission members and staff. The Commission members will consider all of your information and ask questions pertaining to the issue under review.

You have the right, at your own expense, to be represented by legal counsel who may be helpful in guiding you through this process. If you plan to be represented by an attorney, please provide us with their name as soon as possible.

The Commission will make a determination at the meeting as to your application for licensure. You are free to leave once they have made a motion that has been approved.

If you are approved for license/registration, you will not receive your license/registration at the meeting. Your application will be processed within 3 business days. If your license/registration is denied or is issued with conditions, an order will be drafted within 60 days from the date of the meeting. Once the Order is signed by the Commission Chairman, you will be sent a copy for your records.

Please click on <https://llr.sc.gov/res/laws.aspx> and read/review for a further understanding of the South Carolina Residential Builders Commission Statutes and Regulations.

Building where you will be required to go through a metal detector and may be subject to search by the security guard. Failure to submit to a search will result in a denial of entry. Please be aware that concealable weapons, including, but not limited to guns, knives, mace, pepper spray, etc. are prohibited in the building and therefore should be left in your car. After you proceed through security, please sign in at the receptionist's desk where you will receive a visitor's badge. Once you have a visitor's badge, you may go to the meeting room where you will be required to sign an attendance sheet documenting your presence at the meeting.

Individuals will be called to the podium one at a time when it is their turn. You and any witness who will be speaking on your behalf will be sworn in. If you have brought any additional paperwork with you, you will be asked at this time to provide a copy to the LLR Advice Counsel for review, if the documents are approved, they will be provided to all the commission members and the court reporter. The commission members will review all of your information and ask questions pertaining to your criminal history.

The commission will make a determination at the meeting. You are free to leave once they have made their motion and the motion has been approved.

If you are approved for license/registration, you will not receive your license/registration at the meeting. Your application will be processed within 3 business days. A Final Order will be drafted that outlines what was discussed and what the determination was within 60 days from the date of the meeting. Once the Order is signed by the Commission Chairman you will be sent a copy for your records.

Please click on <https://llr.sc.gov/res/laws.aspx> and read/review for a further understanding of the South Carolina Residential Builders Commission Statute and Regulations.