

## Frequently asked questions to become ‘registered’ as a Residential Specialty Contractor

### **Q. What is a Residential Specialty Contractor?**

A. Residential specialty contractor means an independent contractor who contracts with a licensed residential builder, general contractor, or individual property owner to do construction work, repairs, improvement, or reimprovement which requires special skills and involves the use of specialized construction trades or craft, when the undertakings exceed five hundred dollars (\$500) and are not regulated by the provisions of Chapter 11. A residential specialty contractor is not authorized to construct additions to residential buildings or structures without supervision by a residential builder or other appropriately licensed person or entity. Residential specialty contracting includes the following areas of contracting and other areas as the commission may recognize by regulation. A residential specialty contractor is prohibited from undertaking work outside the scope of his license or registration, including employing, hiring, and contracting or subcontracting with others to perform such work on his behalf.

The trades are defined under S.C. Reg. 106–1 as follows:

**Vinyl and aluminum siding installers:** the installation, alteration and repair of vinyl and aluminum siding common to the residential building industry.

**Insulation installers:** the installation, alteration and repair of insulating materials for the purpose of temperature or sound control, excluding any exterior roofing materials such as foam and reflective coating common to the residential building industry.

**Roofers:** the installation, alteration and repair of materials common to the residential building industry that form a water tight, weather resistant surface for roofs and decks, including all accessories, flashing, valleys, gravel stops and roof insulation panels above the roof deck.

**Floor covering installers:** the installation, replacement and repair of floor covering materials and related accessories including preparation of the surface to be covered: included are materials manufactured of asphalt, vinyl, rubber, linoleum, and carpet.

**Masons:** the installation, alteration and repair of poured-in-place concrete foundations (e.g. footings or reinforced slabs), brick, concrete block, and products common to the masonry industry, including mortarless types and synthetic masonry products common to the residential building industry.

**Dry Wall Installer:** the installation, alteration and repair of plaster, gypsum wall board, pointing, accessories, taping and texturing on structures both interior and exterior common to the residential building industry.

**d. Carpenters:** the installation, alteration and repair of rough and general carpentry work on new and existing structures including accessories and related hardware common to the residential building industry.

**Stucco installers:** the installation, alteration and repair of stucco finishes, including Exterior Insulation and Finish Systems (EIFS), which is defined as multi-layered exterior wall systems consisting of a durable water proof finish coat, a reinforced base coat, and insulation board, all secured to plywood or other substance by means of an adhesive and/or mechanical attachment.

**Painters/Wallpaperers:** the application of materials common to the painting and decorating industry for protective or decorative purposes, includes surface preparation, caulking, sanding and cleaning preparatory to painting common to the residential building industry: and the installation, alteration and repair of surface coverings such as vinyls, wallpapers, and cloth fabrics, decorative texturing, taping and finishing of drywall in

conjunction with surface painting only common to the residential building industry.

**Solar Panel Installers:** Fabricating, assembling, installing, and replacing solar panels and related components common to the residential building industry.

**Q. Can I build a house with a specialty contractor registration?**

A. No, a residential builders or general contractors license is required to build homes in South Carolina. A builder may supervise you performing your trades in the process of building the home. See FAQ for how to become a licensed builder <https://lir.sc.gov/res/PDF/FAQ/builder%20FAQ.pdf> or contact the Contractors Licensing Board at 803-896-4686 to find out how to get a General Contractors License.

**Q. Can I build an addition or an enclosed porch with a specialty contractor registration?**

A. No, a residential builders or general contractors license is required to build additions and enclosed porches in South Carolina. A builder may supervise you performing your trades in the process of building the addition or enclosing the porch. See FAQ for how to become a licensed builder <https://lir.sc.gov/res/PDF/FAQ/builder%20FAQ.pdf> or contact the Contractors Licensing Board at 803-896-4686 to find out how to get a General Contractors License.

**Q. Can I do structural work with a specialty contractor registration?**

A. No, not unless you are under the supervision of a licensed builder or general contractor.

**Q. Can I practice in more than three classifications?**

A. No, you are restricted to practicing in the three trades listed on your registration. These trades may only be changed at renewal. If you wish to practice in more than three trades, you are required to be a licensed builder. Please see section S.C. Code Ann. § 40-59-240 at <https://www.scstatehouse.gov/code/t40c059.php>.

**Q. Is there an exam or any type of testing required to become “registered” as a Residential Specialty Contractor?**

A. None at this time.

**Q. Can a “registered” Residential Specialty Contractor subcontract to other contractors.**

A. Yes & No, he or she may sub contract **ONLY** in the trades he or she is currently registered in. He or she may not sub contract in any of the other regulated trades.

**Q. How can I obtain an application to become a Registered Residential Specialty Contractor?**

A. Go to the Residential Builders website at <https://lir.sc.gov/res/>, click on **Apply For a License**, then click on the **Residential Specialty Contractor Registration Application** link and print the application form, you may also apply and pay electronically by scrolling down to Online Electronic Application there are two steps to this process. You may also contact the Residential Builders Commission at 803-896-4696 and request that an application form be mailed to you.

**Q. Once I have my Residential Specialty Contractor Registration application form, what**

## **information do I submit with my application?**

**A.** (1) Submit the completed Residential Specialty Contractor registration form to the Commission. On your completed application, choose up to three (3) classifications from the list on the application. You must have at least one year of work experience for each classification chosen and submit three (3) written letters of reference that reflect your character, skills and knowledge in the trades chosen. All letters should reflect general experience with the applicant and not the company. Any applications without the required number of references will be considered incomplete and the application will be returned.

Each letter must list the name, address, email address and telephone number of the individual providing the letter to you, and the letters must be signed by the provider unless the provider is emailing the reference letter directly to staff. The letters must come from individuals that the applicant performed work for.

(2) If your Residential Specialty Contractor registration is approved and you will be doing work that exceeds \$5,000 for total cost of construction (labor and materials added together), you must file with the Commission a \$5000.00 surety bond (original bond that is signed by the applicant with the power of attorney attached). The bond must be issued in your name as principal and not a company or business name, and the original bond or continuation certificate must be submitted to the Commission each time your registration is renewed. Here is the link to the approved bond form <https://www.llr.sc.gov/res/PDF/LICENSE%20BOND.pdf> .

(3) Submit with your application a registration fee of \$100.00 (certified check or money order) made payable to LLR- Residential Builders Commission if the registration is issued for more than twelve (12) months before the next renewal date or a registration fee of \$50.00 (certified check or money order) made payable to LLR- Residential Builders Commission if the registration is issued for twelve (12) months or less before the next renewal date.

## **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 card, please go to <https://www.ssa.gov/myaccount/replacement-card.html> .

## **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. Am I required to list a company name on my registration?**

**A.** No. We register the individual, not the company. We allow the registrant 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 registration in our database.

## **Q. How do I list my company name on my registration?**

**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. What if I do not own a minimum 51% of the company?**

**A.** If you do not own 51% or more of the company, then the company will need to apply for a Certificate of Authorization.

**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 building or construction services that the company offers.

**Q. How long will it take to process my Residential Specialty Contractor “registration” 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 I receive a Residential Specialty Contractor “registration” how often do I have to renew my registration?**

**A.** Residential Specialty Contractors “registration” 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 per S.C. Code Ann. § 40-59-230(A).

**Q. If I have a current Residential Specialty Contractor Registration, can I renew my registration online?**

**A.** Yes. To renew a current Residential Specialty Contractor Registration, 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](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 per S.C. Code Ann. 40-59-230(A).

**Q. What if I answer yes to a question on the Residential Specialty Contractor Registration 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. If your arrest/conviction is federal, then you will be required to submit an FBI background 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 to the Commission for review.

(2) If you answer yes to the question about judgments/liens, you will be required to submit documentation of a repayment plan for a possible Consent Agreement. If you are not currently in a repayment plan, 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.