



Alabama Board of Heating, Air Conditioning &
Refrigeration Contractors



2016 BOARD
MEMBERS

Chair

Donald "Dink" Myers

Guntersville

Vice Chair

William White, Pelham

Secretary/Treasurer

**Larry Durham, Owens Cross
Roads**

Charlie Edwards, Montgomery

Joel Adkins, Birmingham

**Dr. Heshmat A. Aglan, Ph.D.,
P.E., Tuskegee**

Alan Boswell, Tuscaloosa

Mark Saliba, Dothan

Tony S. Brown, Northport

Ellis Smiley, Montgomery

Rick Causey, Gadsden

Barrett Richard, Cullman

2015 International Codes
Effective Starting
January 1, 2017

At the September 8, 2016, the Board adopted the 2015 International Mechanical Code, 2015 International Residential Code, and the 2015 International Energy Conservation Code as revised by the Alabama Energy and Residential Codes Board. In addition to adopting the 2015 International Codes the Board also adopted the 2014 NFPA 70 National Electrical Code.

Though the 2015 codes were adopted, any jobs performed prior to January 1, 2017 will be inspected to the 2009 International Residential Code. In the rare event a job was done in an incorporated municipality or county with a code cycle lower than 2009 International Residential Codes, the Board's investigators will inspect the job based on the codes adopted by that jurisdiction.

All Heating and Air Conditioning Contractors should familiarize themselves with the 2015 ICC Codes, and any Duct Air Tightness Testing Contractors who are not Heating and Air Conditioning Contractors should familiarize themselves with the allowable air leakage changes as a result from the change from the 2009 to the 2015 International Energy Conservation Code.

2016 COMPLIANCE IN ACTION

UNLICENSED CONTRACTOR

COMPLIANCE

Jason Walder
Steve Klein
Travis Long
Daniel Nelson
Chris Bell
Angie Lunceford
Carl Murfee
Jimmy Day
Nathan Haygood
Bragg Sapp
Floyd Boyett
Thomas Backman
Dennis Lewis
Dominick Wallace

UNLICENSED CONTRATORS

NON-COMPLIANCE

Cedric Manora
Harris Tyrone
John Manning
Herman Lambeth

WARRANTS
Jimmy Giddens
Stephen Todd Spaller
John Michael Goldberg
Mark Boggan
Jason Walder
Kenneth Williams

LICENSE REVOCATIONS

George Saddler
Jimmy Patton

REVOKED PENDING

APPEAL

Rosemary Beavers
Mark Young



Report Illegal Activity

Recently there have been a number of complaints against uncertified contractors working illegally. The Board would like to remind all certified contractors to report individuals that are working without a license. Remember uncertified contractors are not only committing a crime, they are also taking jobs away from licensed contractors.

The Board urges city officials to either call the Board or check the website to verify that a contractor is licensed before issuing any permits.

To report an unlicensed contractor, please contact the Board anonymously at (866) 855-1912 or fill or email the information to the Board at staff@hacr.alabama.gov. All information will be kept confidential.

CHECK YOUR CE CREDITS FOR LICENSE RENEWAL

All heating & air conditioning contractors will be able search the Board's website www.hacr.alabama.gov to review CE credits by clicking on the "verify CE hours" link under Licensees. Unfortunately, the website does not show data regarding continuing education for Refrigeration contractors. Those of you who hold both licenses can verify your CE easily by logging onto the website and entering in only your HVAC certification number. However, those of you who only hold a Refrigeration license will have to call the office to verify continuing education.

A reminder that all contractors, Active or Inactive, are required to obtain 4 hours of continuing education every year. If a contractor takes more than 4 hours, they may carry over up to 4 hours to the next year only.

PERMITTING!

There are a number of contractors who intentionally fail to pull a permit in the city or county or both in which they are working. **Section 106.1 and 107.1 of the 2015 International Mechanical Code states that you must pull a permit** if you are working in a city or county that requires you to do so.

Section 106.1 of the International Mechanical Code reads as follows:

When required. An owner, authorized agent or contractor who desires to erect, install, enlarge, alter, repair, remove, convert, or replace a mechanical system, the installation of which is regulated by this code, or to cause such work to be done, shall first make application to the code official and obtain the required permit for the work.

Exception: Where equipment and appliance replacements or repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day of the department of mechanical inspection."

If we are notified by a city or county official that a contractor has not pulled the required permit for a job, the Board will open a Board complaint against the contractor and proceed with disciplinary action. If the Board receives a consumer complaint and finds that the contractor did not obtain the proper permit for the job, the Board will notify the city and/or county official. In either case it will cost you both time and administrative fines by the Board or the city or county or both, so do not chance it, pull a permit.

If you do not know if your city or county requires a permit, contact the Board and we will be glad to put you in contact with the proper authority.



REFRIGERANT RECOVERY... IT'S THE LAW

The title above should be no surprise to anyone in the heating, air conditioning, and refrigeration business. For many years the Environmental Protection Agency has required that HCFC refrigerants be recovered and disposed of properly from equipment being taken out of service, and has recently extended that requirement to include HFC refrigerants.



With that being said, it might surprise you that in the State of Alabama it is estimated that less than 10% of all the refrigerant that should be recovered actually is. No, that is not a misprint...less than 10%. So, if refrigerant is not being recovered and reclaimed or otherwise disposed of properly, what is happening to it?

The major violation is venting the refrigerant into the atmosphere. Many contractors readily admit to this practice when they are in a location “where nobody can see them”. Another violation is re-using recovered but not properly reclaimed refrigerant in other systems using the same refrigerant. The Environmental Protection Agency does allow for reuse of recovered refrigerant from a customer’s failed system, but ONLY by reintroduction into other equipment owned by the same customer at the same address. Reintroducing recovered refrigerant into any other system is a violation of the law.

In summary, a contractor is required to recover all refrigerant from failed systems, with every effort made to not mix refrigerants. The reason for this is that modern day reclamation processes can bring recovered but not mixed refrigerants back to their virgin purity levels, thus allowing these refrigerants to be reintroduced into the market to continue to meet the needs of existing equipment operating on refrigerants that are being discontinued, such as R22. The disposal process for recovered but mixed refrigerants is incineration. Finally, a contractor is required to maintain full record keeping for all recovered refrigerant, including where the recovered refrigerant was taken for reclamation or disposal.

As stated in the title, refrigerant recovery is the law. Make sure you have the appropriate processes in place to meet requirements, as fines and penalties can reach \$35,000 per day for every day a contractor is found not to be in compliance.

Bill White
Owner - Refrigerant Solutions, Inc.
Trade representative member of the
State Board of Heating, Air Conditioning &
Refrigeration Contractors

All Duct Cleaning and Filter Changing Businesses Required to be Licensed!!



Many contractors and consumers have called the board in recent months asking if such businesses were required by law to hold a State of Alabama Board of Heating & Air Conditioning Certification. The answer is Yes!! All duct cleaning and filter changing services must be certified by this Board.

If you feel like you know of a business that is doing filter change outs and/or duct cleaning, you are strongly urged to contact the board toll free at (866) 855-1912. This includes anyone advertising such services or soliciting business dealing with these issues. You can also verify certification by checking our website www.hvac.alabama.gov.

CERTIFICATION NUMBER AND BUSINESS NAME MUST BE DISPLAYED

The Board would like to remind all contractors that *Code of Alabama 1975 § 34-31-24(b)*, requires that every certified contractor display, in a prominent, legible manner, the State of Alabama Board of Heating, Air Conditioning & Refrigeration Contractors certification number(s) and business name on all work vehicles, documentation, and forms of advertising including radio and television commercials. The certification number(s) on work vehicles must be a minimum of two inches in height and placed on at least two sides of the vehicle.

Acceptable examples of this requirement are: AL CERT # 00000, AL # 00000, AL CERTIFICATION NUMBER 00000. If you maintain certification for a refrigeration company as well as a heating and air conditioning certification, then both license numbers must be displayed on your vehicle, documentation and forms of advertising. For more information about this requirement please refer to the Board's Rules and Regulations Section 440-X-5-.06.

Parts Supply Houses Selling Equipment to Uncertified Individuals

State law is non-existent as to the sale of heating and air or commercial refrigeration installation equipment to uncertified contractors. The Board does not have the statutory authority to prevent the sale of equipment to unlicensed persons.



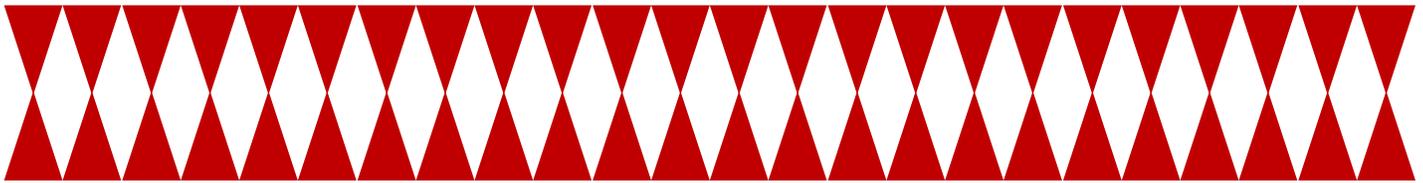
The Board has been given a list of parts houses which are allegedly selling equipment to non-certified persons. Even though the Board does not agree with this practice, it cannot be prevented. The Federal Fair Trade Law prevents the Board from demanding that supply houses stop selling to uncertified individuals. The Board can only ask that supply houses not sell to uncertified individuals. The Board is grateful to the supply houses that require proof of certification prior to a contractor being allowed to purchase equipment from them.

Your Company Could be in Jeopardy

The certified contractor is considered by the Board as the “Responsible in Charge” for the heating and air conditioning or commercial refrigeration company. Responsible in Charge is defined as “The direction of projects involving the installation or service of heating, air conditioning, and refrigeration systems requiring initiation, professional skills, technical knowledge and independent judgment”. In short, the Responsible in Charge is responsible for every aspect of a job undertaken. If a technician performs the actual work, the Board holds the Responsible in Charge accountable for all work done on that job.

The Responsible in Charge must also be a regularly employed person with the company. In other words they must be a full time employee, meaning they must work a minimum of 30 hours per week for the company and be on their payroll and receive a W-2 to be considered as the responsible in charge for the company. They cannot receive a 1099 form.

The Responsible in Charge is responsible for all permits that must be pulled and the installing, repairing or servicing of units on each job. The Responsible in Charge will be held responsible for any minimum standard violations found on an existing unit or installation their company is/was contracted to perform. In the event a Responsible in Charge’s certification is REVOKED the company will no longer be eligible to do business in the State of Alabama.



Legal Contractors Who Place Themselves At Risk



Certified Contractors that allow uncertified individuals or an uncertified company to use their state certification should think twice. Contractors that allow an illegal contractor to use their certification to pull permits are in violation of state law. Those contractors who circumvent state law and enable such work outside state law, place their certification at risk and subject themselves to a fine of \$2,000 per incident. Every violation will be taken very seriously. Protect your certification, don’t let an uncertified contractor use you!

New Examination Material

The Board will continue to keep the material on the exam based on the 2009 ICC Codes until June 1, 2017. After June 1, 2017 the examination will begin to cover the 2015 ICC Codes. The Board will continue to ask questions referenced from the International Mechanical Code and International Energy Conservation Code; however, only the 2015 International Residential Code book will be required to sit for the exam. All questions referenced on the exam from the 2015 IMC and IECC can be found in the 2015 IRC. An exam candidate still must have completed over 3,000 hours of work experience, graduated from an approved curriculum, or have held an apprentice registration, issued by the Board for two or more calendar years, and complete the appropriate application with the Board. The fee of \$150.00 is due with the application. Once approved for testing the Board will notify you that Prov will be in contact with you to schedule your examination. Examination instructions can be found under the "How to get Licensed" tab on the Board's website.

BOARD STAFF

Executive Director:

Kathy S. LeCroix

Executive Staff:

Jeffrey Becraft
Deputy Director

Traci Myrick
Executive Secretary

Investigative Staff:

Glenn Nuby
Supervisor of
Investigations

Greg Nuby

Waylon Spivey

Mike Smith

Administrative Staff:

Amber Moncrief
Licensing & Bonding
Specialist

Crystal Johnson
Examination Specialist

Nelda Claybrook
Accountant

Jennifer Hudson
Complaint Specialist

Alexandra Willis
Clerk

Don't Wait for a Complaint

As a reminder, in an effort to improve customer satisfaction, do not wait until your customer files a consumer complaint. Try to resolve the issue beforehand. Contact these consumers to determine the problem and resolve the issue. Consumers are interested in personal attention and having their units operating properly. Contacting the consumer from the beginning will reduce the hassle for you and the possibility of administrative action against you by the Board.

Complaint Department



2017 PROOF OF PERFORMANCE BOND REQUIRED

Do you know the status of your performance bond? If not, you should contact your insurance company. All contractors are required to maintain a \$15,000 performance bond. When the Board receives notification of a bond cancellation, you are notified by certified mail to give you an opportunity to have the bond reinstated or have a new bond issued. **Beginning in 2017 you will be required to provided proof your bond is in place prior to renewal for 2018.** It is important that you resolve any matters pertaining to your bond to avoid any administrative action against you for failure to meet the Statutory Bond requirements.



State of Alabama
Board of Heating, Air Conditioning &
Refrigeration Contractors
P.O. Box 305025
Montgomery, Alabama 36130-5025

FIRST CLASS
PRESORT
U.S. POSTAGE PAID
MONTGOMERY, AL
PERMIT NO. 109

THANK YOU CERTIFIED CONTRACTORS

The Board appreciates the hard working licensed contractors who are determined to deliver quality services to Alabama's consumers. These contractors spend a number of hours and money to meet the requirements necessary to maintain their certifications while unscrupulous contractors attempt to take business from the certified contractor by lowering prices and doing substandard work.

The Board often receives calls from certified contractors who are discouraged by the continued presence of uncertified contractors working without obtaining the proper certification. The Board's investigators attempt to find as many of these uncertified contractors as possible, however, when you see or know of a possible uncertified contractor working in your area, you should notify the Board in order for our investigators to check on the validity of these contractors.

The Board takes proactive action against uncertified contractors, to include issuing cease and desist orders, levying fines and obtaining warrants for their arrest, in an effort to stop such illegal activity.

The Board is appreciative of the supply houses that post bulletins warning illegal contractors of the consequences of working without a license.

The Board is committed to supporting certified contractors and make every effort to protect the reputation of the contractors that strive to follow the rules and regulations of the heating, air conditioning and commercial refrigeration industry.

Contact us at
Ph:(866) 855-1912
Fax:(334)265-0570
www.hacr.alabama.gov