



CONTINUING EDUCATION DEADLINE!!!

Due to the recent COVID-19 pandemic the Board will accept continuing education credits through close of business on December 31, 2020. It is strongly urged that you get your hours in prior to the December 31 deadline.

The Board is offering statewide training at the following locations and dates:

10-6-2020 2 hour class will be offered in Muscle Shoals. Limited Seating. Please contact Amber Moncrief at (334) 242-5550 or amber.moncrief@hacr.alabama.gov to attend.

10-14-2020 4 hours of education will be offered at Alabama Power Training Center. Limited seating. Please contact Tricia Russell at 800-634-0154 or email trussell@southernco.com to attend.

10-21-2020 4 hour class will be offered in Mobile. Limited Seating. Please contact Amber Moncrief at (334) 242-5550 or amber.moncrief@hacr.alabama.gov to attend.

10-27-2020 4 hour class will be offered in Montgomery. Limited Seating. Please contact Amber Moncrief at (334) 242-5550 or amber.moncrief@hacr.alabama.gov to attend.

11-9-2020 4 hours of education will be offered at Alabama Power Training Center. Limited seating. Please contact Tricia Russell at 800-634-0154 or email trussell@southernco.com to attend.

For those who cannot attend one of these classes there are always online options. A few of the Board's top online providers are: TradesmanCE.com (@FirstAttempt), AtHomePrep.com (@HomePrep), 360Training.com, AnytimeCE.com, RedVector.com, AllStarCE.com (All Star Training), StateCE.com (Vista College), and HVACTraining.com (The Training Source).

You may also want to check with one of the Board's top providers to ask if they are offering any live webinar training courses approved by the Board. The Board's top live providers are: Alabama Power 1-800-634-0154, Ben Pasquinilli 256-595-1700, Johnstone Supply—Birmingham 205-251-3440, Regal Beloit 205-533-3636, Hinkle Metals & Supply 205-326-3300, BTrained 205-728-7254, and R.E. Michel 205-320-0095.

For further assistance with CE please contact the Board at 1-866-855-1912.

Newsletter Contents

Duct Tightness Testing	2
Permitting	3
Supply Houses	3
New Examination Material	3
ICC Codes	4
Compliance Report	5
Responsible in Charge	5

**ALABAMA BOARD OF
HEATING, AIR CONDITIONING
AND REFRIGERATION
CONTRACTORS**

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**LEGAL CONTRACTORS PLACING 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!

**GENERAL CONTRACTOR AND LIQUEFIED PETRO-
LEM LICENSING REQUIRED FOR HVAC CONTRAC-
TORS - DOES THE FOLLOWING APPLY TO
YOU?**

The Alabama Board for General Contractors' law requires that any HACR contractor performing a job over \$50,000 hold a subcontractor or prime contractor license issued by the General Contractors Board. If you have any questions about this requirement please contact the Heating, Air Conditioning and Refrigeration Board at (866) 855-1912 or the General Contractors Board at 800-356-6361 or online at: www.genconbd.alabama.gov.



The Alabama Liquefied Petroleum Gas Board law requires that any HACR contractor involved in the installation, service or repair of a gas furnace connected to liquefied petroleum (LP) gas hold the appropriate certification with their agency. If you have any questions about LP Gas requirement please contact the Heating, Air Conditioning and Refrigeration Board at 866- 855-1912 LP Gas Board at 800-545-9246 or online at: www.lpgb.alabama.gov



Duct Air Tightness Testing Mandatory

The Alabama Residential Energy, Code of Alabama 1975, Section 305-2-4-.10 mandates that duct pressure testing is required on all new construction and full system changeouts regardless of what jurisdiction a contractor performs installation of an HVAC system in the State of Alabama.

In addition Section 34-31-24(b)(1) mandates that any individual who engages in the practice of testing and verifying duct air tightness, in conjunction with the installation, service, or repair of heating and air conditioning systems, is required to be registered with the Board. Since the inception of the law in 2015, the code has changed making the duct leakage less than 4% at rough-in. Once each test is performed and passes, the contractor who performed the test is required to report the results to the Board on a duct air tightness testing verification form. Forms can be found under the forms section of the Board's website at www.hacr.alabama.gov. For contractors who are interested in whole home energy compliance, there is a Alabama Residential Energy Code Compliance Calculator on ADECA's website: www.adeca.alabama.gov/energy

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:

If we are notified by a city or county official that a contractor has not pulled the required

“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.”

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.

2020 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 provide proof your bond is in place prior to renewal for 2021.** 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.

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.

Federal law does, however, mandate that you must hold an EPA Freon Certification Card to purchase items which contain any type of refrigerant .

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Assistant

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Assistant Education
Administrator

Administrative Staff

Amy Mashburn
Licensing Specialist

Nelda Claybrook
Accountant

Crystal Johnson
Accounting Assistant

Juston Palmertree
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.

DISPLAY OF YOUR NAME AND NUMBERS!!

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.

ICC CODES TO KNOW

The Board would like to remind all certified contractors that they should be familiar with and will be expected to comply with the codes outlined in the 2015 International Mechanical Code and International Residential Code for One and Two Family Dwellings as well as the coded referenced within these manuals pertaining to commercial and residential heating and air conditioning.

Refrigeration Contractors who do not practice heating and air conditioning work should be familiar with the International Mechanical Code. This means that all work performed after January 1, 2017 must meet these codes. If you have any questions about codes please call the Board.

PERSON IN RESPONSIBLE CHARGE

The certified contractor is considered by the Board as the "Responsible in Charge" at 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.

2020 COMPLIANCE IN ACTION

UNLICENSED CONTRACTOR COMPLIANCE

George Tobia
Rick Bates
Pierce Parker
Jorge DeJesus

UNLICENSED CONTRACTORS NON-COMPLIANCE

Wydrekus King
Joseph Holt
Preston Kolb
Jeffrey Files
Corry Ritch
Malcom Sumpter
Robert Millington
Jeffery Vice
Michael Baldree
Ronald Mitchell Davis

WARRANTS

Joshua Corry
Shawn Hubbard
Matthew Dickey
James Roland
Sanders
Justin Dockery

LICENSEES ON PROBATION

Chadrick Setchell

Disciplinary Action Taken Against Contractors

Disciplinary action is being taken against contractors where work performed violates minimum standards set by the Board, as well as, against those contractors who fail to comply with the Board's rules and regulations in such matters as displaying their numbers on their service or work vehicles and loaning their license to unlicensed contractors. This discipline can be in the form of a letter of reprimand, a monetary fine, additional continuation hours, suspension or revocation of their license.

A complete investigation is conducted by the Board's investigators in each instance where suspicion of misconduct is presented. Once final, a report is submitted to the Board's Investigative Committee.

Every aspect of a job or issue being investigated is carefully reviewed and the Committee determines what, if any, disciplinary action should be taken against the licensee.

The Board will continue to take disciplinary action against contractors where code violations or noncompliance with Board rules and regulations exists.

The Board's disciplinary powers have been in existence since the Board was created in 1982.

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, that includes 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.



STATE OF ALABAMA BOARD OF HEATING,
AIR CONDITIONING & REFRIGERATION CONTRACTORS
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PLEASE
PLACE
STAMP
HERE