

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 465 Department or Agency Home Builders Licensure Board  
Rule No. 465-X-3-.13  
Rule Title: Continuing Qualification for Applicants in Washington County  
New  Amend  Repeal  Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

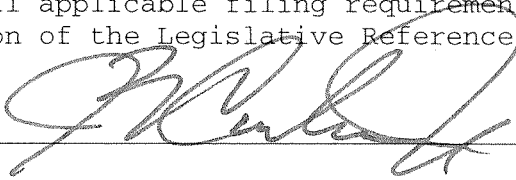
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

\*\*\*\*\*  
Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

\*\*\*\*\*  
Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer   
Date 10/20/11

(DATE FILED)  
(STAMP)

**Home Builders Licensure Board**  
**NOTICE OF INTENDED ACTION**

AGENCY NAME: Home Builder Licensure Board

RULE NO. & TITLE: 465-X-3-.13 Continuing Qualification for  
Applicants in Washington County

INTENDED ACTION: The Home Builders Licensure Board proposes  
to repeal rule 465-X-3-.13

SUBSTANCE OF PROPOSED ACTION:

The repeal of this rule will enable a holder of an expired license to reactivate his license without satisfying the experience and ability requirements for licensure if application is made within the three-year time period established at § 34-14A-7(f)(1)b, and provided all other licensing requirements have been met.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

All interested parties may submit data, views or arguments respecting the proposed amendment by mail or in person for the 35 day period beginning October 31, 2011. Persons wishing to submit data, views or arguments orally should contact the Board's Executive Director between the hours of 8:00 AM and 5:00 PM, Monday through Friday, excluding State holidays, at 334-242-2230, to set up an appointment for such oral presentations. Mail should be addressed as follows:

Mr. J. R. Carden, Jr., Executive Director  
Home Builders Licensure Board  
P. O. Box 303605  
Montgomery, AL 36130-3605

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 5,  
2011

CONTACT PERSON AT AGENCY: Mr. J. R. Carden, Jr., Exec. Director  
445 Herron Street  
Montgomery, AL 36104

A handwritten signature in cursive script, appearing to read "J. R. Carden, Jr.", written over a horizontal line.

(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

**465-X-3-.13 Continuing Qualification for Applicants in Washington County.**

(1) ~~An individual residential home builder or building inspector residing in or acting as a residential home builder in Washington County, shall be deemed to have satisfied the experience and ability requirements for licensure if such builder or building inspector~~

(a) ~~satisfied the requirements of 465-X-3-.04(4) of these Rules, and~~

(b) ~~since March 1, 2007, continuously has been licensed as a residential home builder or has served as a qualifying representative of a licensed residential home builder, or any combination thereof.~~

(2) ~~If such an individual later chooses to apply for another license, that individual may rely upon this continuing status as either a licensee or qualifying representative to evidence satisfaction of the experience and ability requirements for licensure, but also must comply with all other licensure requirements.~~

**Authors:** Kathy Perry Brasfield

**Statutory Authority:** Code of Ala. 1975, §§ 34-14A-5, 34-14A-6.

**History: Original Rule Filed:** August 4, 2006; effective September 8, 2006.