



IF YOU PLAN TO QUALIFY A COMPANY, CORPORATION OR LLC (LIMITED LIABILITY COMPANY), THE ATTACHED APPLICATION MUST BE COMPLETED, NOTARIZED AND SUBMITTED. IT MUST INCLUDE THE FOLLOWING:

CORPORATION OR LLC

- a. Copy of certificate of incorporation or letter of acknowledgement from Florida Secretary of State. Item 11 (3)
- b. List of stockholders holding 10% or more of stock, with the names, addresses, and percentages held (other than a public corporation).
- c. List of all officers and directors of the corporation, including names, addresses and titles.
- d. Acceptance and Appointment of qualifier (Attachment 3) to be completed, signed and notarized. (A corporation would not require a fictitious name registration unless it is a corporation doing business in another company name e. g. Universal Plumbing, Inc. d/b/a Discount Plumbing Services).

COMPANY

If you plan to qualify a company or business entity in any name other than your own, you must attach a fictitious name affidavit

- e.g. Robert Jones is qualifying Jones Plumbing Co.
(This would be a fictitious name).
- e. g. Robert Jones is qualifying Robert Jones Plumbing Co.
(This would not be a fictitious name).

ALL BUSINESS ENTITIES.

All applicants must answer the following questions on a separate sheet of paper. Applicants seeking to allow a business to operate by virtue of their competency license, must demonstrate the ability to actively control the construction- related activities of businesses qualified.

- 1. Why are you seeking to qualify this business?
- 2. Have you read and do you understand the requirements of Chapter **75-489**, Laws of Florida, and particularly Section 24?
- 3. What is your job title in the business?
- 4. What is your supervisory responsibility?
- 5. What is your ownership interest?
- 6. If you do not own the firm, are you paid a salary or wage as an employee? If not, how are you compensated?
- 7. Do you have the authority to hire and fire employees and sub-contractors?
- 8. Do you have ready access to the firms' financial records?
- 9. Do you have access to or authority to approve all contracts written?
- 10. Do you have authority to order materials for construction work?
- 11. How many hours per week do you anticipate working with the business?
- 12. If you qualify more than one, are the two firms related? Do they share a common facility or personnel?

CREDIT REPORT

Credit reports on both the business and the personal credit report must be submitted directly from the credit- reporting agency to the Board, and must include a public records check for Pinellas County. Applications will not be accepted unless the credit reports have been received or a receipt proving they have been ordered is included with the application.



**Pinellas
County
Construction
Licensing
Board**

12600 Belcher Rd., Suite 102, Largo, Florida 33773

Your license No. _____

NOTE: Please type or print in ink

CHANGE OF STATUS

APPLICANTS QUALIFYING A CORPORATION, LLC OR DOING BUSINESS UNDER A FICTITIOUS NAME

1 _____ 2 _____
 (Last Name) first middle Date of Birth social security number

3 _____ 4 _____
 Individual's Address (Street & Number) City County State Zip Code (area code) residence phone

5 _____ 6 _____
 full name of business which is no longer qualified address (area code) business phone

7 _____ 8 _____
 Full name of business to be qualified address (area code) business phone

9 License No(s) of any CURRENT OR PREVIOUS Contractor's Certification or Registration held by applicant

10. **INDICATE NATURE OF REQUEST**

- | | |
|-----------------------------------------------------------------------|---------------------------------------------|
| To qualify an additional company, LLC or corporation (\$100.00) _____ | Active license to Inactive- no charge _____ |
| Change of company, LLC or corporation (\$100.00) _____ | Inactive license to active (\$100.00) _____ |
| Change Company, LLC or corporation to individual – no charge _____ | Reinstatement (Varies by circumstances) |
| Qualify one company or corporation (\$100.00) _____ | |

11. **BEFORE YOU MAIL YOUR APPLICATION, PLEASE CHECK THE FOLLOWING**

Return current wallet license if you already have one. If you are obtaining your license for the first time this does not apply.

ATTACHMENT A. Required information concerning business organizations. Are signatures in the correct place? If fictitious name is issued, is a copy of your compliance attached to this form? If company is not incorporated or LLC, then proof of compliance with fictitious name law may be required.

ATTACHMENT A Notice regarding corporations. Is a copy of certificate of incorporation or letter of acknowledgement from Florida's Secretary of State attached? Enclose a list of stock holders holding 10% or more of outstanding stock (other than public corporation)/

12. **FICTITIOUS NAME LAW 865.09 STATUTE IN PART**

It shall be unlawful for any person or persons to engage in business under a fictitious name unless said fictitious name shall be registered with the Division of Corporations, Florida Department of State. Said registration may not be made until the person or persons desiring to engage in business under a fictitious name shall have advertised his or their intention to register said fictitious name at least once in a newspaper as defined by law in the county where the principle place of business is located.

13. If qualifying a corporation, a list of all major stock holders, officers and directors are required on a separate sheet of paper (all stock holders holding 10% or more of outstanding stock)

This Original Application must be returned.

REQUIRED INFORMATION

CONCERNING BUSINESS ORGANIZATIONS

Attachment A

This form shall be completed by any person applying to conduct business in other than his individual capacity. If you are applying as an individual, you need not complete this form. Answer all questions.

Chapter 75-489, Statute of Florida provides:

Section 18 Business Organizations; qualifying agents.

(1) If an individual proposes to engage in contracting in his own name, registration or certification may be issued only to that individual.

(2) If the applicant proposes to engage in contracting as a partnership, corporation, business trust, or other legal entity, the applicant shall apply through a qualifying agent, the application shall state the name of the partnership and of its partners, the name of the corporation and of its officers and directors, the name of the business trust and its trustees, or the name of such other legal entity and its members; and the applicant shall furnish evidence of statutory compliance if a fictitious name is used. Such application shall also show that the qualifying agent is legally qualified to act for the business organization in all matters connected with its contracting business and that he has authority to supervise construction undertaken by such business organization. The registration or certification, when issued upon application of a business organization, shall be in the name of the qualifying agent and the name of the business organization shall be noted thereon.

(3)(a) The qualifying agent shall be certified or registered under this act in order for the business organization to be certified or registered in the category of the business conducted for which the qualifying agent is certified or registered. If any qualifying agent ceases to be affiliated with such business organization, he shall so inform the Board. In addition, if such qualifying agent is the only certified or registered individual affiliated with the business organization, the business organization shall notify the Board of the termination of the qualifying agent and shall have a minimum of 60 days from the termination of the qualifying agent's affiliation with the business organization in which to employ another qualifying agent. The business organization may not engage in contracting until a qualifying agent is employed.

(b) The qualifying agent shall inform the Board in writing when he proposes to engage in contracting in his name or in affiliation with another business organization, and he or such new business organization shall supply the same information to the Board as required of applicants under this act

1. BUSINESS ORGANIZATION

Exact Name of Business Organization

Organization is a (check one)

- Partnership, Corporation, Proprietorship, Other (specify)

If none, attach explanation Or proof of application

Federal Employer Identification(FEIN) No: _____

2. STATEMENT OF AUTHORITY TO ACT FOR THE BUSINESS ORGANIZATION Any person applying to be issued a certificate or registration to engage in contracting in other than his individual capacity, or any registrant or certificate holder applying to qualify a partnership, corporation, business trust or other legal business entity shall furnish the Board a notarized statement that he is legally qualified to act for the business organization in all matters connected with its contracting business and that he has authority to supervise construction undertaken by such business organization. (See Attachment B)

3. Is the applicant who is to qualify the business organization in 1 presently qualifying or attempting to qualify Yes No another contracting business organization? If yes, give details:

4. Will there be any ownership by the applicant of the business organization named in 1 above? If yes, give details: Yes No

5. CORPORATE INFORMATION (If you are not applying to conduct business as a corporation, skip this section and go to Section 6 below) Upon the advice of the Attorney General, it is the policy of this Board not to issue a contractor's certification to a corporation unless it is qualified to do business in this State either as a domestic or a foreign corporation, To be qualified to do business in this State, a domestic or foreign corporation must be registered and in good standing with the Secretary of State of the State of Florida.

<i>Name of Corporation or LLC</i>	<i>Corporate I.D. No. or Charter No</i>
<i>State of Incorporation</i>	<i>Date registered with the Florida Secretary of State</i>

YOU MUST ATTACH BOTH (A) A copy of certificate of incorporation in the State of Florida or a letter of acknowledgement of authority issued by the Secretary of State of the state of Florida.
 (B) A list of all persons holding 10% or more of the outstanding stock of the corporation.

6. FICTITIOUS NAME STATUTE If the business organization is or will be operating under a fictitious name as defined in Chapter 865.09 F.S. (See Reverse), you must attach evidence of proof of your compliance.

7. AFFIDAVIT the undersigned hereby certifies that the information supplied herein and on all attachments is true and correct.

STATE OF FLORIDA
 COUNTY OF _____

The foregoing instrument was acknowledged before me
 This ____ day of _____ 20__ by

 (name of person taking acknowledgment)

 (Signature of Notary)

Print, Type or Stamp Commissioned Name of Notary Public

Personally Known ___ Or Produced Identification

Type of Identification Produced _____

- If a Proprietorship, the Applicant shall sign
- If a Corporation, the Applicant, the President, the Vice-President, and Secretary shall sign
- If a Partnership, the applicant and each partner shall sign
- If a joint venture or other entity, signatures of those individuals who customarily bind that entity are required

 Applicant's Signature Applicant Address

 Signature of Partner or Corporate Officer Title Address

 Signature of Partner or Corporate Officer Title Address

 Signature of Partner or Corporate Officer Title Address

THIS FORM MUST BE NOTARIZED

APPOINTMENT OF QUALIFIER
PINELLAS COUNTY CONSTRUCTION
LICENSING BOARD

ATTACHMENT B

At a meeting of _____, held on the _____ day of _____, 20____, _____ was legally appointed as the qualifier to act for the business organization in matters connected with its contracting business, and given authority to supervise construction undertaken by the business organization.

SIGNATURE OF OFFICER/PARTNER/TRUSTEE

SIGNATURE OF OFFICER/PARTNER/TRUSTEE

TITLE OF OFFICER

TITLE OF OFFICER

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me

This _____ day of _____ 20____ by

(Name of person taking acknowledgment)

(Signature of notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known - OR Produced Identification

Type of Identification Produced _____

ACCEPTANCE OF APPOINTMENT

I, _____, hereby accept appointment as the contractor of _____ (Business Organization)

and assume the responsibilities for the business organization and its employees as outlined in Chapter 489, Florida Statute, and Chapter 75-489, Laws of Florida. I represent that I will actively supervise all work contracted and/or permitted by authority of my competency card or registration and will otherwise take an active role in the operations of this business. I will promptly notify the Pinellas County Construction Licensing Board if I end my affiliation with this business organization.

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me

This _____ day of _____ 20____ by

(Name of person taking acknowledgment)

(Signature of notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known - OR Produced Identification
Type of Identification Produced _____

Signature of Contractor

Certification or Registration Number

PINELLAS COUNTY CONSTRUCTION LICENSING BOARD

12600 Belcher Road, Suite 102
Largo, Florida 33773
(727) 582-3100

CERTIFICATE OF INSURANCE REQUIRED

All active contractors must furnish and maintain with the Pinellas County Construction Licensing Board a certificate of insurance for general liability coverage. This certificate must be in the minimum amount of \$100,000 per occurrence/\$300,000 aggregate bodily injury and \$50,000 property damage or \$300,000 as a combined single limit. Additionally, the certificate must show proof of workers' compensation insurance as required by law. The certificate must show our name and address as the certificate holder:

**Pinellas County Construction Licensing Board
12600 Belcher Road, Suite 102
Largo, Florida 33773**

You will be required to have a valid certificate on file with the Board in order to maintain your license and to renew your active certification annually. This applies to all contractors. All contractors must show proof of worker's compensation coverage. Any contractor subject to licensure under authority of the PCCLB, when working on projects that coverage becomes required by the Longshore and Harbor Workers' Compensation Act (LSHWCA), 33 U.S.C. 901, et, seq., must retain and maintain proper USL&H coverage under the LSHWCA. Failure to do so shall constitute per se misconduct in the practice of contracting.

The certificate of insurance **must** provide a policy number issued by the insuring company (not a binder) and the following 30-day cancellation notice:

It is agreed that cancellation of this policy shall not be effective as to the principal hereinafter named until 30 days after a copy of the notice of such cancellation has been sent to:

**Pinellas County Construction Licensing Board
12600 Belcher Road, Suite 102
Largo, Florida 33773**

Both the licensee in his individual name and the name of the firm, if applicable, must be named in the certificate. If you are doing business as a corporation or partnership, the certificate should be worded:

John J. Smith and X. Y. Z. Company, Inc.

As a sole proprietor:

John J. Smith d/b/a X. Y. Z. Company

If you have any questions, please feel free to call the PCCLB office. This notice should be provided to your insurance agent so the Certificate of Insurance is properly prepared.

TO: APPLICANTS TO QUALIFY A BUSINESS ORGANIZATION

FROM: RODNEY S. FISCHER, EXECUTIVE DIRECTOR

SUBJECT: YOUR RESPONSIBILITIES/PERSONAL LIABILITIES

Some contractors are not aware of the requirements imposed by their qualification of a business organization. When considering qualifying a business keep in mind:

All primary qualifying agents for a business organization are jointly and equally responsible for supervision of all operations of the business; for all field work at all sites; and for financial matters, both for the organization in general and for each specific job.

A qualifier is personally liable where construction defects result from his/her failure to exercise due care in carrying out his/her statutorily imposed duty of construction supervisor.

A qualifier must have final approval authority on all checks, drafts, or payments, regardless of the form of payment, and must have final approval authority for all construction work performed by the entity,

The qualifying agent will still be responsible for the negligence of his/her surrogates regardless of the care which may have been exercised in selecting the latter and regardless of whether the latter is an independent contractor or employee of the qualifier's firm.

Your responsibilities as a licensed construction professional are similar to those of an engineer or architect. You may be held individually responsible for actions of the business.

CHAPTER 75-489, LAWS OF FLORIDA, AS AMENDED

Section 24. REVOCATION OR SUSPENSION OF CERTIFICATE OR REGISTRATION.

(1) On its own motion or the verified written complaint of any person, the board may investigate the action of any contractor certified or registered under this part and hold hearings pursuant to law. When any complaint involves a contractor certified or registered under this part for acts or omissions occurring in any area of the county that has a local board, the board shall forward the complaint to the local board where the alleged violation occurred for its action. Where no local board exists, or when such local board waives its jurisdiction, the board shall take jurisdiction. The board may take appropriate disciplinary action if the contractor⁴ is found to be guilty of or has committed any one of the acts or omissions constituting cause for disciplinary action set out herein or adopted as rules or regulations by the board.

(2) The following acts constitute cause for disciplinary action:

(a) Obtaining a certificate or registration by fraud or misrepresentation

(b) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of contracting or the ability to practice contracting;

(c) Violation of chapter 455, Florida Statutes.

(d) Willfully or deliberately disregarding and violating the applicable building codes or laws of the state, this board, or of any municipality or county of this state;

(e) Performing any act which assists a person or entity in engaging in the prohibited uncertified and unregistered practice of contracting, if the certificate holder or registrant knows or has reasonable grounds to know that the person or entity was uncertified and unregistered;

(f) Knowingly combining or conspiring with an uncertified or unregistered person by allowing his certificate registration to be used by the uncertified or unregistered person with the intent to evade the provisions of this part. When a certificate holder or registrant allows his certificate or registration to be used by one or more business organizations without having any active participation in the operations, management, or control of such business organizations, such act constitutes prima facie evidence of an intent to evade the provisions of this part;

(g) Acting in the capacity of a contractor under any certificate or registration issued hereunder except in the name of the certificate holder or registrant as set forth on the issued certificate or registration, or in accordance with the personnel of the certificate holder or registrant as set forth in the application for the certificate or registration, or as later changed as provided in this part;

(h) Committing mismanagement or misconduct in the practice of contracting that causes financial harm to a customer. Financial mismanagement or misconduct occurs when:

1. Valid liens have been recorded against the property of a contractor's customer for supplies or services ordered by the contractor for the customer's job; the contractor has received funds from the customer to pay for the supplies or services; and, the contractor has not had the liens removed from the property, by payment or by bond, within 30 days after the date of such liens.

2. The contractor has abandoned a customer's job and the percentage of completion is less than the percentage of the total contract price paid to the contractor as of the time of abandonment, unless the contractor is entitled to retain such funds under the terms of the contract or refunds the excess funds within 30 days after the date the job is abandoned.

3. The contractor's job has been completed, and it is shown that the customer has had to pay more for the contracted job than the original contract price, as adjusted for subsequent change orders, unless such increase in cost was the result of circumstances beyond the control of the contractor, was the result of circumstances caused by the customer, or was otherwise permitted by the terms of the contract between the contractor and the customer.

(i) Being disciplined by any municipality or county for an act or violation of this part, which discipline shall be reviewed by the board before the board takes any disciplinary action of its own.

(j) Failing in any material respect to comply with the provisions of this part.

(k) Abandoning a construction project in which the contractor is engaged or under contract as a contractor. A project is to be considered abandoned after 90 days if the contractor terminates the project without notification to the prospective owner and without just cause.

(l) Signing a statement with respect to a project or contract falsely indicating that the work is bonded; falsely indicating that payment has been made for all subcontracted work, labor, and materials which results in a financial loss to the owner, purchaser, or contractor; or falsely indicating that workers' compensation and public liability insurance are provided.

(m) Being found guilty of fraud or deceit or of gross negligence, incompetency, or misconduct in the practice of contracting.

(n) Proceeding on any job without obtaining applicable local building department permits and inspections.

(3) If a contractor disciplined under subsection (1) is a qualifying agent for a business organization and the violation was performed in connection with a construction project undertaken by that business organization, the board may impose an additional administrative fine not to exceed \$1,000 against the business organization or against any partner, officer, director, trustee, or member if such person participated in the violation or knew or should have known of the violation and failed to take reasonable corrective action.

(4) The board may specify by rule the acts or omissions which constitute violations of this section.

(5) The board is authorized to take the following disciplinary action:

(a) Suspend the certificate holder or registrant from all operations as a contractor during the period fixed by the board but the board may permit the certificate holder or registrant to complete any contracts then uncompleted.

(b) Revoke a certificate or registration.

(c) Impose an administrative fine or penalty not to exceed \$1,000.00 (which shall be recoverable by the board only in an action at law).

(d) Require restitution and impose reasonable investigative and legal costs.

(6) After suspension of the certificate or registration on any grounds set forth in this section, the board may remove the suspension on proof of compliance by the contractor with all conditions prescribed by the board for removal of suspension, or, in the absence of the conditions, as in the sound discretion of the board.

(7) After revocation of a certificate or registration, the certificate or registration shall not be renewed or reissued for at least one year after revocation and then only on a showing of rehabilitation of the contractor. The lapse or suspension of a certificate or registration by operation of law or by order to the board or a court, or its voluntary surrender by a certificate holder or registrant does not deprive the board of jurisdiction to investigate or act in disciplinary proceedings against the certificate holder or registrant.

(8) The board may restrain any violation of this part by action in a court of competent jurisdiction.