

**DON'T LET THE AD FOOL YOU: DECEPTIVE LICENSING STATEMENTS ABOUND.  
ALL CONTRACTORS DO NOT HAVE TO BE LICENSED. SOME DO!**

This advertisement ran in a local consumer magazine, placed there by a local chapter of a national construction association. It is FALSE, DECEPTIVE, MISLEADING and violates Georgia law. Hopefully this was the result of poor word choice and misstatement and was not intentionally deceptive. But false, deceptive or misleading statements can have serious adverse consequences.

**So what is the truth?**

ALL CONTRACTORS are NOT required to have a license. Residential and general contractors must be licensed under Georgia's contractor licensing law (chapter 43-41). Even the definition of Contractor found in §43-41-1(4) of the Georgia Code states:

“Contractor,” **except as specifically exempted by this chapter**, means a person . . .” [emphasis added].

**Who is exempt from state contractor licensing under chapter 43-41?**

Contractors performing construction work under \$2,500 is mentioned. Additionally, under 43-41-17 of the Georgia Code, the following contractors are specifically exempt and are NOT required to hold a Georgia contractor's license.

- Specialty Contractors
- DOT contractors
- Repair contractors
- Contractors performing construction of buildings classified for agricultural occupancy
- Utility contractors licensed under chapter 43-14.
- Contractors performing the construction or installation of manufactured homes

The construction licensing board identified over 115 specialty contractor trades that are exempt. The number is growing.

**What do you do? Be clear in your statements!**

1. Beware of making statements that are false and deceptive or may have a tendency to mislead or confuse the public. These types of statements may subject you to serious legal consequences.
2. If you include a copy of this advertisement in your sales materials, remove it. Remove any advertisements that have similar misstatements. These types of ads violate, among other things, the Georgia Fair Business Practices Act.

The association behind this advertisement should have known better and violated its own ethical rules. It is a shame that a good organization that has worked hard to further ethical practices for the construction industry, which is comprised of a number of great contractors and other members of the industry and with which I myself have been involved, failed itself and its standards with this advertisement. But above all, do NOT make the same mistake yourself in trying to educate the public about contractor licensing.

