



Builder/Remodeler Registration Form

Important: Answer each section completely. Government Code Sections 2005.052 and 2005.053 permit denial of an application and criminal prosecution for making false statements, misrepresenting information or refusing to provide required information.

Section 1: Type of Registration

- Initial application Reopen a canceled or failed-to-timely-renew company - # _____
- Reapplication of a previously withdrawn, revoked, suspended or denied - # _____

Section 2: Company Information

Legal Name: _____

Physical Address: _____ City: _____ 9-Digit TX Zip: _____

Mailing Address: _____ City: _____ 9-Digit TX Zip: _____

Phone: _____ Fax: _____ Email: _____

Section 3: Business Type

- Limited Liability Company Limited Liability Partnership Limited Partnership Corporation
- Sole Proprietorship General Partnership Joint Venture Estate Trust

Section 4: Survey Questions

- Q1: What do you consider your primary construction activity? New Construction Remodeling Both
- Q2: Do you offer mobility-accessible floor plans? No Yes. If yes, please include the Mobility-Accessible Floor Plan Sign-Up Form included in the Builder/Remodeler Registration Form package.
- Q3: Do you provide Spanish-speaking staff for Spanish-speaking clients? No Yes

Section 5: Assumed Names or DBAs Used in Residential Construction (attach county registration documents)

1. _____ 2. _____

Section 6: Fees (Non Refundable) Credit card, fax the form to 512-463-9507, or mail it to PO Box 13509, Austin, Texas, 78711-3509. **All other forms of payment**, send the form and fee to PO Box 13144, Austin, Texas 78711-3144.

Filing Fee: \$500	Late Filing Fee: \$500 (w/out waiver in Section 10 F)	Primary Agent – Free Additional Agents \$25 each	Total Fees Paid _____
<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Check	<input type="checkbox"/> 501 c3 – Exempt from fees
<input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/> Discover <input type="checkbox"/> American Express <input type="checkbox"/> Visa/MasterCard Debit	Card Number _____-_____-_____-_____		
	Expiration Date ____-____-____ Billing Address _____ Mo Yr City Zip		
	X _____ Print Name	X _____ Signature	X _____ Date



Section 7: Names of All Builder Owners or Members and Provide Their Percent Ownership Interest
(If the builder has no individuals who are owners, provide the individual partners of the general partner(s)).

- 1. _____ % _____
- 2. _____ % _____
- 3. _____ % _____
- 4. _____ % _____
- 5. _____ % _____
- 6. _____ % _____

Section 8: Other Companies Affiliated with the Applicant

- 1. _____ # _____
- 2. _____ # _____

Section 9: Primary Designated Agent Information (all information items must be answered)

Legal Name: _____

SSN: _____ DoB: _____ Phone: _____

Physical Address: _____ City: _____ 9-Digit TX Zip: _____

Mailing Address: _____ City: _____ 9-Digit TX Zip: _____

USA Citizen or Lawfully Admitted Alien: Yes No If alien, provide visa #: _____ and copy of your residence card.

Are you currently a registered agent w/ another builder? Yes, # _____ No

Section 10: Primary Designated Agent Criminal and Financial Histories and Other Attestations

- Yes No A. Has the agent been convicted of, pled no contest to or accepted deferred adjudication for a misdemeanor crime involving moral turpitude? If yes, provide proof of payment of court fees and completion of sentence/probation/parole/deferred adjudication and provide an explanation of restitution and rehabilitation. Refer to the instructions for guidance on moral turpitude.
- Yes No B. Has the agent been convicted of, pled no contest or accepted deferred adjudication for any felony crime? If yes, provide proof of payment of court fees and completion of sentence/probation/parole/deferred adjudication and provide an explanation of restitution and rehabilitation.
- Yes No C. Does the agent, the builder or affiliates have any unpaid judgments or tax liens? If yes, provide proof of a payment plan or settlement.
- Yes No D. Has the agent had any professional or occupational license or certification refused, denied, revoked, expired, withdrawn or denied renewal? Has the agent received disciplinary action, sanction or administrative penalties from any other licensing agency? If yes, provide an explanation of the action, circumstances and any reasons why the actions do not affect the agent's trustworthiness.
- Yes No E. Is the agent delinquent in the payment of any child support obligations (failure to continue to pay may result in suspension of the company builder registration)?
- Yes No F. AFFIDAVIT ON TIMELY FILING: Texas Property Code Sec. 401.003. defines a Builder or Remodeler under the state's jurisdiction. I swear and affirm that this application was submitted to the commission prior to acting as a builder or remodeler. *If no, pay an additional late filing fee.*
- Yes No G. AFFIDAVIT ATTESTING TO APPLICATION TRUTHFULNESS: As a designated agent, I swear all information provided is true and correct and acknowledge that I am individually and severally liable for company violations related to compliance with statutes and rules pertaining to the Residential Construction Commission Act. I acknowledge that the commission will validate the information on this form using third-party sources.

X _____ X _____ X _____
Print Name Signature Date



Secondary Agent Form

Important: If you are not attaching this form to the *Builder/Remodeler Registration Form* as a part of an original builder/remodeler application, do not use this form. Use the *Designated Agent Update Form* instead. Sole Proprietorships cannot have secondary agents. Answer each section completely. Government Code Sections 2005.052 and 2005.053 permit denial of an application and criminal prosecution for making false statements, misrepresenting information or refusing to provide required information.

Section 1: Company Information

Name: _____

Primary Designated Agent Name: _____

Section 2: Secondary Designated Agent Information

Legal Name: _____ DoB: _____

Physical Address: _____ City: _____ 9-Digit TX Zip: _____

Mailing Address: _____ City: _____ 9-Digit TX Zip: _____

Phone: _____ Fax: _____ SSN: _____

USA Citizen or Lawfully Admitted Alien: Yes No If alien, provide visa number: _____ and a photocopy of your residence card.

Are you currently a registered agent w/ another builder? Yes, Bldr# _____ No

Section 3: Attestations

- Yes No A. Has the agent been convicted of, pled no contest to or accepted deferred adjudication for a misdemeanor crime involving moral turpitude? If yes, provide proof of payment of court fees and completion of sentence/probation/parole/deferred adjudication and provide an explanation of restitution and rehabilitation. Refer to the instructions for guidance or moral turpitude.
- Yes No B. Has the agent been convicted of, pled no contest or accepted deferred adjudication for any felony crime? If yes, provide proof of payment of court fees and completion of sentence/probation/parole/deferred adjudication and provide an explanation of restitution and rehabilitation.
- Yes No C. Has the agent, the builder or his affiliates any unpaid judgments or tax liens? If yes, provide proof of a payment plan or settlement.
- Yes No D. Has the agent had any professional or occupational license or certification refused, denied, revoked, expired, withdrawn or denied renewal? Has the agent received disciplinary action, sanction or administrative penalties from any other licensing agency? If yes, provide an explanation of the action, circumstances and any reasons why the actions do not affect the agent's trustworthiness.
- Yes No E. Is the agent delinquent in the payment of any child support obligations (failure to continue to pay may result in suspension of the company builder registration)?
- Yes No F. **AFFIDAVIT ATTESTING TO APPLICATION TRUTHFULNESS:** As a designated agent, I swear all information provided is true and correct and acknowledge that I am individually and severally liable for company violations related to compliance with statutes and rules pertaining to the Residential Construction Commission Act. I acknowledge that the commission will validate the information on this form using third-party sources.

X _____
Print Name

X _____
Signature

X _____
Date





Builder/Remodeler Registration Instructions

Residential builders and certain remodelers are required to register with the commission. Property Code Section 401.003 defines a builder/remodeler as any person who, for a fixed price, commission, fee, wage, or other compensation, sells, constructs, or supervises or manages the construction of, or contracts for the construction of or the supervision or management of the construction of: a new home; a material improvement that either increases or decreases the home's total square footage of living space and also modifies the home's foundation, perimeter walls, or roof; or an interior remodeling/renovation project that exceeds \$10,000. There are certain exceptions. There are certain expectations described in the law. Please consult legal counsel if you believe an exception applies to you.

The commission is prohibited from refunding application fees. Before filling out the application, collect all the required information. Make sure the company is eligible. Persons who develop property they own_for residential sale are builders.

Answer each section completely. Skipping sections or questions may result in application denial. Government Code Sections 2005.052 and 2005.053 permit denial of an application and criminal prosecution for making false statements, misrepresenting information, refusing to provide required information or failing to provide a complete criminal history. If you leave an answer blank because it does not apply to you, mark the blank as not applicable (N/A).

Section 1: Type of Registration

Indicate whether this is the first time submitting the company for registration or if it is being resubmitted for consideration. If a resubmission, indicate whether this is reopening a cancelled or failed-to-timely-renew (expired) registration or if you made application that was previously withdrawn, revoked, suspended or denied.

Section 2: Company Information

You must register the legal entity, not the assumed name. All of the assumed names that you use must be reported in Section 5. If the company is registered with the Secretary of State, list the name **exactly** as registered with the Secretary of State. Providing the correct name and business type is important because the registration number issued may be used only by the company listed, and by no other name or business type, even if the ownership remains the same. The registration may not be loaned or borrowed (Property Code Section 418.001 (16) & (17)). The physical and mailing addresses of the builder **must be in Texas**.

Provide the commission with the physical address of the primary office location and its United States Postal Service assigned nine-digit zip code. If the builder/remodeler uses an alternate mailing address, supply that information also. The United States Postal Service provides nine-digit zip codes at www.usps.gov (find a zip code from the menu bar).

Section 3: Builder Business Type

Select the business type that identifies your company's business organization.

Prior to claiming a business type of limited liability company (LLC), limited liability partnership (LLP), limited partnership (LP or Ltd) or corporation (Inc or corp.), the company must first register with the Secretary of State and obtain any Comptroller of Public Accounts required tax numbers. Companies must maintain a status of good standing with these state agencies in order to retain an active commission certificate of registration. The Secretary



of State requires filing of periodic reports and the Comptroller of Public Accounts requires filing of tax reports, even if no taxes are due.

Sole proprietorship - an informal business organization with only one owner. The name of the company is the same name as its owner. For example, if the owner's name is Sam Spade, then the name of the company is Sam Spade. Spade Construction would be an assumed name or "dba" for the proprietor and should be listed in Section 5.

General partner — more than one owner or partner, through a formal or informal agreement, share responsibility for management, profits and liability for debts.

Joint venture — an enterprise entered into by two or more people or companies for a limited purpose, such as purchase, improvement and sale or leasing of real estate. A joint venture has most of the elements of a partnership, such as shared profits, management, the power of each venturer to bind the others in the business, and joint responsibility for losses.

Trust — a formally created entity to hold assets for the benefit of certain persons or entities, with a trustee managing the trust. Trusts are created through a declaration of trust that establishes the trust and describes what the trust may do.

Estate — temporary form of ownership necessary to manage the assets of a deceased person.

Section 4: Survey Questions

This section contains three survey questions. First Question: what type of residential construction does your company anticipate doing: new construction, remodeling or a mix of both? Your answer does not affect the fees the commission charges or how frequently you have to renew. Second Question: Do you offer mobility-accessible floor plans? If yes, please fill out and attach the Mobility-Accessible Floor Plans Sign-Up Form attached herein. Third question: Do you provide Spanish-speaking staff to communicate with Spanish-speaking clients? Yes or No.

Section 5: Builder Assumed Names or DBAs Used in Residential Construction

A builder/remodeler must report all assumed names or doing business as names (dbas) if used in its residential construction business. Assumed names and dbas are nicknames or marketing names a builder or remodeler uses. If your "dba" is registered in a Texas County, provide a copy of those registration papers. If you are registered with the Secretary of State, that information is publicly accessible and requires no other documentation.

Section 6: Fees

The initial filing fee is \$500 minimum. Each company must register an eligible person as the primary designated agent. The commission does not charge filing fees for registering the primary designated agent. The commission charges \$25 to register secondary agents.

All agents, primary or secondary, must be eligible to register individually as a builder/remodeler.

If you are a builder/remodeler as defined by state law and have been operating as a builder/ remodeler prior to submitting an application for registration to the commission, the primary designated agent must answer no to Section 10-F and pay the late filing fee of \$500. The late filing fee is in addition to the filing fee. If you have not been operating as a builder/remodeler prior to without submitting an application for registration to the commission, the primary designated agent may answer yes to Section 10-F and no late filing fees are due. A false answer may lead to disciplinary action including an administrative fine in addition to the late fee.

Provide the total fee due and provide a method of payment. The commission is unable to process an application without proper fees. **If you use a credit card to pay the fee, please either fax the form to 512-463-9507, or mail it to PO Box 13509, Austin, Texas, 78711-3509. With all other forms of payment, send your form and fee to PO Box PO Box 13144, Austin, Texas 78711-3144.**

Section 7: All Builder Partners and Affiliates Names

Provide the commission the names of all individuals, not companies, who have ownership in the builder applicant. Provide the percentage ownership interest they hold in the builder. If there are no individuals who own the builder, then default to the general partner(s) until the names of all individuals who have ownership have been provided.

Section 8: Other Companies Affiliated w/ the Applicant

Supply the names and, if available, the registration numbers, of companies affiliated with the applicant company and agent. Provide the names of companies regardless of whether they actually received a registration number. Include the names of withdrawn, revoked, canceled, suspended and failed-to-timely renew companies. An affiliated company is a company that has ownership in common or is an extension of a series of companies.

Example: Saratoga Townhomes Ltd, Conestoga Townhomes Ltd and Rosemont Townhomes Ltd are all owned by the same partners. Saratoga and Conestoga Townhomes Ltd are already registered. When Rosemont Townhomes Ltd applies for a builder/remodeler registration, it must report Saratoga and Conestoga Townhomes Ltd in Section 8.

Section 9: Primary Designated Agent Information

Every company must be represented by an individual who is also individually eligible for registration as a builder/remodeler.

The Property Code specifies who may represent a company:

- Corporation — one of its corporate officers.
- General Partnership, Limited Partnership or Limited Liability Partnership—one of its managing partners, and if no individual is serving as a managing partner, an individual officer from among its managing partner entities. An example is a limited partnership whose general partner is a limited liability company. An individual or managing member from the limited liability company must represent the limited partnership.
- Limited Liability Company — one of its managing members and, if no managing members are designated, a member.
- Sole proprietorship — the individual is the only permitted agent.
- General Partnership — one of its partners.
- Trust or Estate — a trust or estate executor or administrator.
- Joint Venture — a representative, otherwise eligible, from one of its partners.

If the Secretary of State does not have a record of “partners” or “managing members,” the applicant may list directors or governing persons.

For all companies, if the proposed agent is not listed in the public record (at the Secretary of State); attach company documentation proving that the agent is eligible to serve.

Provide the legal or given name of an individual as found on the birth certificate. This includes, if available, a first name, a middle initial, and a last name. If you are a junior, senior or enumerated name, provide that suffix.

If you have a compound last name, hyphenate it. Sole proprietorships may use nicknames or common names for themselves in Section 2.

Make sure the proposed agents are eligible. For example, if you are a lawfully admitted alien, ask the United States Department of Homeland Security whether your visa allows you to operate a business in the United States. The physical and mailing addresses of the agent **must be in Texas**.

Section 10: Primary Designated Agent Criminal and Financial Histories and Other Attestations

There is no time limit on the information requested. Answer the questions as fully as possible. Attach letters of explanation if you feel the information might help the commission determine whether to grant a certificate of registration to the company.

Completed deferred adjudication and paid judgments are not automatically removed from the public record. Be sure to include them in any information you provide. Tax liens are considered to be judgments and as such need to be reported on this application.

A. Moral turpitude is a general term that includes crimes such as theft, deceit, fraud, misrepresentation, intentional violence and sexual offenses. If you did not save the requested court records, you may produce a notarized letter attesting to the facts.

B. This question concerns a felony of any kind. If you received a felony conviction on a third DWI, you must report it. For example, if you received a felony conviction in 1974 for marijuana possession, you must report it. If you did not save the court records, you may produce a notarized letter attesting to the facts.

C. No additional instruction.

D. No additional instruction.

E. If yes, provide proof of an approved payment plan intended to get payments up-to-date.

F. If the company acts as a builder/remodeler without registering for longer than forty-five (45) days, it is late filing and late filing fees are due. Depending on the circumstances, such as length of time operating as a builder/remodeler without a registration, the commission may choose to impose civil penalties.

G. The commission holds the primary designated agent responsible for the answers to the questions and the actions of the company in addition to the company.

Secondary Agent Instructions

Pay \$25 per secondary agent submitted in Section 6 of the Builder Registration Application.

Section 1: Same as Section 2 of the Builder Registration Application

Section 2: Same as Section 9 of the Builder Registration Application

Section 3: Same as Section 10 (Less 10-F) of the Builder Registration Application

Mobility-Accessible Floor Plans Sign-Up Form

This survey question is required by state law. You are not required to respond.

Section 1: Same as Section 2 on the Builder Registration Application

Section 2: Information on the person you want the public to contact about mobility-accessible floor plans

Section 3: DO YOU MARK STATEWIDE UNLESS YOUR COMPANY PROVIDES SERVICES STATEWIDE. Provide zip code for areas your company provides services.



Mobility-Accessible Floor Plans Sign-Up Form (Form MAFP-1)

Section 1: Builder Information

Builder Name: _____

Mailing Address: _____ City: _____ Zip: _____

Builder Web Address: _____

Section 2: Program Contact Information

Contact Name: _____

Contact Phone: _____ Contact Email Address: _____

Section 3: Municipalities (BY Zip Code) in which Mobility-Accessible Floor Plans are Offered

If zip codes are not provided, the application will be considered incomplete. Add additional sheets, as required, to list zip codes.

Entire State

1. _____	17. _____	33. _____	49. _____
2. _____	18. _____	34. _____	35. 50. _____
3. _____	19. _____	35. _____	51. _____
4. _____	20. _____	36. _____	52. _____
5. _____	21. _____	37. _____	53. _____
6. _____	22. _____	38. _____	54. _____
7. _____	23. _____	39. _____	55. _____
8. _____	24. _____	40. _____	56. _____
9. _____	25. _____	41. _____	57. _____
10. _____	26. _____	42. _____	58. _____
11. _____	27. _____	43. _____	59. _____
12. _____	28. _____	44. _____	60. _____
13. _____	29. _____	45. _____	61. _____
14. _____	30. _____	46. _____	62. _____
15. _____	31. _____	47. _____	63. _____
16. _____	32. _____	48. _____	64. _____