



Conditioned Air Association of Georgia

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Since 1949, the state of Georgia has required HVAC contractors to be licensed under O.C.G.A. §43-14, et seq.

Below are pertinent sections of the law:

O.C.G.A. § 43-14-8(c) provides that “No **person** shall engage in the business of conditioned air contracting as a conditioned air contractor unless such person has a valid license from the Division of Conditioned Air Contractors.”

O.C.G.A. § 43-14-2(1)(3) defines “Conditioned air contracting” means the **installation, repair, or service** of conditioned air systems or conditioned air equipment. Service to or installation of the electrical connection between the electrical disconnect and conditioned air equipment is considered to be installation, repair, or service of conditioned air equipment or the conditioned air system. Service to or installation of the electrical circuit from the electrical distribution panel to the conditioned air equipment where the electrical service to the building or site is a single-phase electrical circuit not exceeding 200 amperes is considered to be installation, repair, or service of conditioned air equipment or the conditioned air system.”

O.C.G.A. § 43-14-8(h) provides that “No **partnership, limited liability company, or corporation** shall have the right to engage in the business of conditioned air contracting unless there is regularly connected with such partnership, limited liability company, or corporation a person or persons actually engage in the performance of such business on a **full-time basis** who have valid licenses issued to them as provided for in this chapter.”

O.C.G.A. § 43-14-12.1(a) provides that “...it shall **not be necessary** for an investigator to **observe or witness** the unlicensed person engaged illegally in the **process** of work or to show **work in progress** or **work completed** in order to prove the unlawful practice of conditioned air contracting by an unlicensed person.”

O.C.G.A. § 43-14-12.1(b) provides that “It shall be prima-facie evidence of a violation of this chapter if any person not licensed ... **advertises** that such person is in the business or profession of a conditioned air contractor or advertises in a manner such that the general public would believe that such person is a licensed conditioned air contractor or in the business or profession of a conditioned air contractor. Advertising under this subsection includes, but is **not limited to, newspaper, television, radio, telephone directory, mailings, business cards, or sign at place of business or attached to a vehicle.**”

The **civil penalty** is found in O.C.G.A. § 43-14-12.1(d) which provides that “...the board shall be authorized to impose a fine not to exceed **\$500.00** for each violation ... **Each day** that a person practices in violation of this Code section and chapter shall constitute a **separate violation.**” This means that **each day you are in business or your advertisement runs, you could be fined \$500.00!**

A **criminal penalty** is included in O.C.G.A. § 43-14-14 which provides that, “Any person violating this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than **\$1,000.00** or **imprisoned for not more than six months, or both.**”

O.C.G.A. § 43-14-6(a)(4)(B) provides that the Board may “**refuse to grant** a license to a person”...for... “Failure at any time to comply with the requirements for a license or certificate under this chapter or the rules and regulations of the board.”

