

# MEMORANDUM

To: Will Parker, General Counsel, Office of Governor Kay Ivey

From: Seth Gowan, General Counsel, Alabama Home Builders Licensure Board

CC: Bill Deloney, Chairman, HBLB, Chip Carden, Executive Director, HBLB

Date: March 23, 2020

Re: Home Builders Licensure Board Action Plan in Response to Covid-19 Public Health Emergency

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On Friday, March 13, 2020, the Alabama Home Builders Licensure Board closed public access to its building, except for the public lobby.

On Monday, March 16, 2020, the Alabama Home Builders Licensure Board implemented a skeleton crew operation plan in order to protect the health and safety of its employees, effective through at least April 6, 2020. The plan is being reviewed daily and weekly as the health emergency develops and directives are issued by the Governor requiring action.

- All investigators, who work remotely, have been grounded to their home bases and limited to functions of no direct personal contact with licensees, unlicensed builders or consumers. (phone/internet/email)
- All Board personnel with the capabilities of working remotely are doing so. The remainder of office staff are on a rotating skeleton crew schedule of 3 employees in the office daily to carry out normal assigned functions in an order that best accommodates day to day operations of the agency. The Executive Director, General Counsel, Assistant Attorney General and Senior Accountant are splitting time with each other on a daily basis, to make sure administrative supervision is present, and spending the remainder of the day working remotely.
- The agency main phone number provides an emergency message allowing callers to leave a voice mail or to choose a division to be transferred. The main

number messages are checked throughout the day by the Board executive secretary and routed to the appropriated person within the agency to assist the caller.

We have updated our agency website and agency Facebook pages with messages regarding limited staff on a daily basis and also encouraging licensees and consumers to email the agency at [information@hblb.alabama.gov](mailto:information@hblb.alabama.gov) Those emails are being screened by the General Counsel and/or Assistant Attorney General to get assistance to the person.

After consultation with the Executive Director and legal counsel, Bill Deloney, the Board's Chairman cancelled the scheduled March Board meeting (March 26, 2020) in the interests of public health and safety. This determination was made with direction for Board staff to continue efforts to issue licenses to applicants that met all statutory and regulatory requirements and could be simply ratified at the April 23, 2020 Board Meeting. The total number of timely filed renewal license applications is less than 20. These applicants are legally in good standing to operate as licensed home builders until the Board's final action. Notices have already been sent to these applicants regarding the rescheduling. Only one new applicant is being delaying, and the Board legal counsel has already communicated with the applicant and sent confirmation letter of the new date for Board review. The Board is working on a plan, if needed, to conduct the April Board meeting using telecommunications/video conferencing capabilities and remaining in compliance with the Open Meetings Act per the Governor's Emergency Declaration.

Finally, on March 23, 2020 the Executive Director and General Counsel conducted a conference call with the company that provides the testing service for the Home Builders License. Currently, testing centers used by the company are closed, meaning applicants are unable to schedule and take sections of the examination. We are currently exploring ways to legally accommodate an online proctoring of the examination without compromising security and integrity of the test.