

# VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

## CHAPTER 79

*An Act to amend and reenact § 54.1-1115 of the Code of Virginia, relating to contractor licenses.*

[H 799]

Approved March 10, 1994

**Be it enacted by the General Assembly of Virginia:**

**1. That § 54.1-1115 of the Code of Virginia is amended and reenacted as follows:**

§ 54.1-1115. Prohibited acts.

A. The following acts are prohibited and shall constitute the commission of a Class 1 misdemeanor:

1. Contracting for, or bidding upon the construction, removal, repair or improvements to or upon real property owned, controlled or leased by another person without a license.
2. Attempting to practice contracting in this Commonwealth, except as provided for in this chapter.
3. Presenting or attempting to use the license of another.
4. Giving false or forged evidence of any kind to the Board or any member thereof in an application for the issuance or renewal of a license.
5. Impersonating another or using an expired or revoked license.
6. Receiving or considering as the awarding authority a bid from anyone not properly licensed under this chapter.

B. Any person who undertakes work without a valid license when a license is required by this chapter may be fined an amount not to exceed \$200 per day for each day that such person is in violation, in addition to the authorized penalties for the commission of a Class 1 misdemeanor.

C. No person shall be entitled to assert the lack of licensure as required by this chapter as a defense to any action at law or suit in equity if the party who seeks to recover from such person gives substantial performance within the terms of the contract in good faith and without actual knowledge of the licensure requirements of this chapter.

*Failure to renew a license issued in accordance with this chapter shall create a rebuttable presumption of actual knowledge of such licensing requirements.*