

Regulations of Connecticut State Agencies

TITLE 20. Professional & Occupational Licensing, Certification

Agency

Department of Consumer Protection

Subject

Swimming Pool Builders and Contractors

Inclusive Sections

§§ 20-340d-1—20-340d-7

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Swimming Pool Builders and Contractors

Sec. 20-340d-1. Application; documentation

(a) Any person seeking a license as a swimming pool builder shall apply to the Commissioner of Consumer Protection on an application form provided by the commissioner. Such application form shall be verified under oath and shall include:

- (1) The applicant's name;
- (2) The applicant's trade name;
- (3) The applicant's business address; and
- (4) Such other information as the commissioner may require in determining the qualifications of an applicant.

(b) Prior to January 1, 2014, each application for licensure shall be accompanied by:

(1) References from at least one trade-related business and at least one financial institution sufficient to verify the existence of an established business;

(2) Submission of: (A) satisfactory evidence that the applicant has obtained a home improvement contractor registration pursuant to the provisions of chapter 400 of the Connecticut General Statutes, or that the applicant works for an employer that has obtained such registration, and (B) a written statement that the applicant shall not build a swimming pool without holding such current home improvement contractor registration or working for an employer that holds a current registration;

(3) A certificate of good standing less than thirty (30) days old from the Secretary of the State, if the applicant is a corporation, limited liability company or limited liability partnership;

(4) A certificate of good standing from the state in which it is incorporated or organized, as well as a certificate of good standing less than thirty (30) days old from the Secretary of the State, if the applicant is a foreign corporation, limited liability company or limited liability partnership;

(5) A certified copy of a trade name certificate from the town in which the business is primarily conducted, in accordance with section 35-1 of the Connecticut General Statutes;

(6) Three current references from qualified persons attesting to the applicant's familiarity with the knowledge, skills and abilities relating to the performance of the swimming pool builder services; and

(7) A list of at least seven (7) swimming pool installations completed by the applicant in the past seven (7) years; except that if the applicant has obtained the designation entitled "Certified Building Professional" from the trade association "Association of Pool & Spa Professionals" or equivalent education and experience to be determined by the Commissioner of Consumer Protection, then a list of five (5) swimming pool installations completed by the applicant in the past five (5) years. Each swimming pool installation listed shall contain the address of the swimming pool installation, a brief description of the work performed by the applicant, and the date of completion.

(c) On or after January 1, 2014 each application for licensure shall be accompanied by:

- (1) Proof of five (5) years experience under the supervision of a licensed swimming pool

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builder, or equivalent experience as determined by the Commissioner of Consumer Protection;

(2) Submission of (A) satisfactory evidence that the applicant has obtained such home improvement contractor registration pursuant to the provisions of chapter 400 of the Connecticut General Statutes, or that the applicant works for an employer that has obtained such registration, and (B) a written statement that the applicant shall not build a swimming pool without holding a current home improvement contractor registration or working for an employer that holds a current registration;

(3) Proof that the applicant has obtained the designation entitled “Certified Building Professional” from the trade association “Association of Pool & Spa Professionals” or equivalent education and experience to be determined by the Commissioner of Consumer Protection; and

(4) Proof that the applicant has passed an examination conducted by the Department.

(Effective September 20, 2013)

Sec. 20-340d-2. Contracting standards

Each contract with a consumer for work as a swimming pool builder, as defined in section 20-340d(a) of the Connecticut General Statutes, shall be entered into by the holder of a swimming pool builder license issued pursuant to chapter 393 of the Connecticut General Statutes. Such license holder shall also hold a home improvement contractor registration issued pursuant to Chapter 400 of the Connecticut General Statutes.

(Effective September 20, 2013)

Sec. 20-340d-3. Continuing education

(a) Continuing education for the swimming pool builder license shall consist of not less than three (3) hours of technical instruction and one (1) hour of business and law instruction, to be completed every year, or as determined by the Commissioner of Consumer Protection, as a requirement of license renewal.

(b) Providers of continuing education instruction shall obtain curriculum approval from the Department of Consumer Protection prior to offering each continuing education course for credit.

(c) The Commissioner of Consumer Protection may grant a request for a hardship exemption from the continuing education requirements provided in subsection (a) of this section for reason of health, military service, or other individual hardship if the licensee otherwise meets all license renewal requirements. Any decision made by the commissioner on a request for a hardship exemption from such continuing education requirements shall be final.

(d) In order for a request for a hardship exemption to be considered by the Commissioner of Consumer Protection, such request shall be submitted in writing to the commissioner not less than ninety (90) days prior to the date of license renewal and shall include an

explanation and verification of the hardship.

(Effective September 20, 2013; Amended July 10, 2024)

Sec. 20-340d-4. Course approval

(a) Prior to offering or advertising a swimming pool builder course for continuing education credit, a school, institution, or organization shall submit to the Department of Consumer Protection an application for course approval in a form and manner prescribed by the Commissioner of Consumer Protection. Information submitted for consideration as part of such application shall include a summary description of the course, a detailed course outline including the content areas of instruction, the course duration, the name of the institution intending to offer the course and a template certificate of completion.

(b) The Commissioner of Consumer Protection shall review and approve or reject each application submitted pursuant to subsection (a) of this section. The commissioner may reject an application in the event that:

- (1) The application is incomplete;
- (2) The course lacks relevancy to the educational topics required of a swimming pool builder licensee;
- (3) The course material lacks sufficient educational content; or
- (4) A previous course offered by the applicant was subject to a revocation of course approval.

(c) A continuing education provider may offer an online continuing education course, provided the Commissioner of Consumer Protection has approved such course, and such provider complies with the following requirements:

- (1) The course is taught through an online technology platform that includes real time video with audio;
- (2) The participants confirm their active engagement with the course at least once every hour;
- (3) Participants are able to interact with instructors in real time during the entire course;
- (4) There is an audio-visual recording of the course, including the course date, start time, and end time; and
- (5) All supplemental materials relied upon during the course are provided to the students prior to the commencement of the course.

(d) Course providers shall ensure that the number of students enrolled in each course does not exceed a total of twenty-five (25) students per online course and fifty (50) students per in-person course.

(e) No course provider may change or alter the course content in an approved course without providing prior written notice to, and obtaining approval of, the Commissioner of Consumer Protection for such change or alteration.

(f) The Commissioner of Consumer Protection may revoke a course approval when the commissioner determines that the offeror has failed to comply with sections 20-340d-3 to 20-340d-7, inclusive, of the Regulations of Connecticut State Agencies or has engaged in

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mismanagement or fraud related to the teaching or administration of the course.

(g) The Commissioner of Consumer Protection shall not approve any continuing education courses in the area of office and business skills such as typing, speed reading, memory development, personal motivation, salesmanship, or sales psychology, or for sales promotions or other meetings held in conjunction with the general business of a trade contractor.

(Effective July 10, 2024)

Sec. 20-340d-5. Notification of course offering; course locations.

(a) Each provider conducting an approved course shall, prior to the scheduled date of each course, submit to the Department of Consumer Protection, in a form and manner prescribed by the Commissioner of Consumer Protection, a schedule of dates, hours and locations for each course to be offered. No courses shall commence or be advertised as approved without prior written approval of the commissioner. A provider shall not change or alter any approved course without prior written notice to, and approval of, the commissioner. The commissioner may withdraw course approval for failure to comply with the provisions of this section.

(b) Each continuing education course, other than those offered through an online technology platform, shall be conducted in a classroom-style facility and an environment which is adequate to implement the offering. No correspondence courses shall be permitted.

(c) Each provider conducting an approved course through an online technology platform shall, prior to the scheduled date of each course, send an invitation to an email address to be specified by the Department of Consumer Protection and provide electronic course access to the department such that a department representative may attend such course in real time. The department's invitation to, or participation in, a course conducted through an online technology platform shall not be counted toward the total number of students that are permitted to be enrolled in the course pursuant to section 20-340d-4(d) of the Regulations of Connecticut State Agencies.

(Effective July 10, 2024)

Sec. 20-340d-6. Denial or revocation of course approval

Upon the refusal of the department to approve a particular course, or upon revocation of a course approval previously issued, the Department of Consumer Protection shall give notice of the grounds for such refusal or revocation and notify the applicant of such applicant's right to appeal to the Superior Court. Revocation shall be effective upon delivery of notice unless otherwise provided in such revocation notice.

(Effective July 10, 2024)

Sec. 20-340d-7. Records

(a) All schools, institutions or organizations conducting approved courses shall maintain complete records of student attendance and evidence of completion for a period of at least

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four (4) years after the completion of each course. Such records shall be available for inspection by the Department of Consumer Protection. Upon satisfactory completion of any approved course, a certificate evidencing completion shall be furnished by the school, institution, or organization to the student.

(b) The burden of proof of completion of each course shall be upon the licensee. Documentation of such courses shall be submitted in such manner and at such times as prescribed by the Department of Consumer Protection.

(Effective July 10, 2024)