

# The Blueprint

*Your guide for success.*

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**A publication of The Greater Morgan County Builders Association.**

## JANUARY JAM IN APRIL

The 4th Annual January Jam has been moved to Friday April 1, 2011 from 6:30 to 9:30p.m.

The Sly Groove Band will be playing and the food and cash bar will still be there. The location will still be Sykes Place on Bank (726 Bank Street). If you have all ready purchased your Draw Down tickets, that is great! They still will be honored. If you haven't, we invite you to come by our office (1501 4th Ave.). We have plenty left!! We also still have sponsorship slots available.

**If you have any questions, please contact our office at (256) 350-4594.**

## NAIL DOWN THESE DATES Calendar Available [www.gmcba.org](http://www.gmcba.org)

- ◆ **Board Meeting**  
Thursday, March 10, from 4:30-5:30 pm, at the GMCBA office.
- ◆ **Membership Meeting**  
Tuesday, March 22nd, from 12:00-1:00 pm, at the GMCBA office.
- ◆ **4th Annual January Jam (New Date)**  
Friday, April 1, from 6:30-9:30 pm, at Sykes Place on Bank.
- ◆ **The Annual Golf Tournament**  
Friday April 29, Lunch at 11:00, Shotgun start at 1:00


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# JANUARY MEMBERSHIP RENEWALS

**Builders:** Griffen Developers, Shelton Construction.

**Associates:** E.L. Slaton Jr. & Son, Littrell Lumber, Platinum Mortgage, SERVPRO, Williams Interior Finishes.

## HOMEOWNERSHIP CAN BRING BIG SAVINGS AT TAX TIME

By NAHB

As the April 18 federal income tax filing deadline approaches, millions of Americans are sitting down and sorting through dozens of forms to determine how much money they owe Uncle Sam--or, how much of a refund they will get this year. One of those forms, the Mortgage Interest Statement Form 1098, can mean big savings for home owners at tax time.

Form 1098, which home owners receive from their lenders, shows the total amount of home mortgage interest paid during the year. Home owners who itemize their federal income tax deductions can deduct 100 percent of their mortgage interest payments on a first or second home for up to \$1 million of mortgage debt. They can also deduct the interest paid on up to \$100,000 of home equity loans.

For most home owners, this means they can deduct ALL of the mortgage interest they've paid on their home each year. The ability to deduct home mortgage and home equity loan interest isn't the only tax benefit for home owners. The three most important sources of tax savings for home owners are: Deductions for mortgage interest, Deductions for real estate taxes, and the capital gains exclusion for the sale of a principal residence.

Home owners are also able to deduct the state and local real estate taxes they pay each year on an owner-occupied home. When it is time to sell a home, in many cases home owners don't have to pay capital gains tax on the profit from the sale. Another deduction home owners may be able to take is for mortgage insurance premiums. Even home owners who don't use the home as their principal residence and rent it may be able to enjoy tax benefit.

Home owners rely on the mortgage interest deduction each year to help offset the costs of homeownership and prospective buyers take the deduction into consideration when choosing homeownership over renting. But this deduction is being threatened by a national deficit commission. They have proposed reducing or eliminating it as part of a restructuring of the tax code.

## WELCOME GMCBA'S NEWEST MEMBER



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## AN UNLICENSED BUILDER? WHO, ME?

By *Jamie A. Durham, Legal Council, Home Builders Licensure Board*

Did you know that, even if you've been licensed since 1994, you could still be an unlicensed builder? The name of the individual or corporation holding the license is printed on your license card. Unless you have formed a legal corporate entity, such as an LLC, a corporation, or a partnership, you hold an individual license. Any name other than your own personal name is simply a trade name, or a name in which you do business.

For example, John Q. Builder enters into contracts as Better Builder, the sign on his truck says Better Builder, and his name on his business bank account is Better Builder. Better Builder is not an LLC, a corporation, or a partnership. John Q. Builder appropriately submits an individual application for license and lists Better Builder as his trade name. The license is issued to John Q. Builder. **John Q. Builder, individually, is responsible and liable for any and all work performed under his license.**

At a later date, John Q. Builder decides to incorporate Better Builder. John Q. Builder is now entering into contracts as Better Builder, Inc.. He has changed the name on the side of his truck and on his bank account. He has even brought his son, Sonny Builder, into the business with him, teaching him the trade and showing him how to run the business. However, John Q. Builder still has his individual license, with Better Builder listed as a trade name.

Now John Q. Builder has an unfortunate occurrence. He decided to let his son take on his first job. Sonny enters into a contract to build a house, using Better Builder, Inc.'s contract and using John Q. Builder's license number to pull the permit. As sometimes happens, Sonny's first job does not go smoothly. In fact, the homeowners file a consumer complaint with the Board. When the Board receives the consumer complaint, a number of things happen:

**A. Better Builder, Inc. is identified as an unlicensed builder.** At the time Better Builder, Inc. entered into its first contract to build a house, it was required by law to hold corporation home builders license. Since John Q. Builder did not license Better Builder, Inc., but left the license in his individual name, Better Builder, Inc. was not a licensed builder.

**B. Sonny Builder is identified as an unlicensed builder.** Whether Sonny Builder says he was working for himself, for the corporation, or for his father, Sonny Builder was an unlicensed builder because he did not hold an individual license, the corporation did not hold a license, and his father only an individual license.

**C. John Q. Builder is charged with license loaning and/or doing business improperly.** John Q. Builder can only enter into contracts as an individual. Neither is corporation or his son are licensed through his individual license. The Board may charge him with license loaning to an unlicensed builder or with doing business improperly.

**D. What's the result?** All three are subject to fines. John Q. Builder is subject to having his license suspended or revoked. Sonny Builder may be charged with a Class A misdemeanor, Failure of Obtain a Home Builders License, which carries a \$6,000.00 fine and up to 1 year in jail.

**Do yourself a favor---** make sure you are entering into contacts the way you are licensed, and you are licensed the way you do business. You can always call the Board's staff at 800-304-0853 to check.

### NEWSFLASH FOR MARCH

Start forming your golf teams now for our Annual Golf Tournament! We will have all of our information soon for you to view on our website! Have questions? Please contact me at 256-350-4594. See you there!



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### Contact Information

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