

Does a Tenant Need a Contractor License?

Tenants include business owners, renters (commercial or residential), and anyone who occupies buildings they do not own. Tenants shall obtain written permission from property owners.
(Town form)

A Town Business License and a Town Building Contractor License are not the same thing. For the purpose of this discussion: **1)** a town business license is a license authorized by the Estes Park Municipal Code 5.20; and is hereafter referred to as a **business license**; **2)** a town building contractor license is a license authorized by the Estes Park Municipal Code 4.28; and is hereafter referred to as a **contractor license**; **3)** references to either a **business license** or a **contractor license** are licenses required and issued by the Town of Estes Park.

- **Contractor licensing** requirements are not applicable to work that does not require a permit.
- **Contractor licensing** requirements are not applicable to persons who perform work and are not compensated for their work (volunteers, home owners, property owners, business owners, tenants).
- Based on the scope of the work, employees working on their employers' properties may or may not need a **contractor license**. State licensing requirements limit the scope of work that may be performed by employees that do not possess appropriate State licenses. If an employee does not possess the required State license, that employee may not perform the work. Exemptions in State requirements are specific to employees of property owners, not employees of tenants.
- A tenant may perform minor repairs and maintenance without a **contractor license**. For some work on commercial property requiring a permit, the tenant has the choice of accepting responsibility for the work, or hiring a contractor who possess the applicable **contractor license**.
- When a tenant accepts responsibility for the work, permits issued to the tenant are limited to work performed by that tenant. Contractors who perform work for tenants are required to obtain the applicable **contractor license** and to obtain separate permits for that contractor's work.
- When a tenant accepts responsibility as the general contractor, the **contractor license** requirements are applicable to each and every subcontractor working on that project; and, contractors' work is not covered by the tenant's permit. When a tenant is the general contractor, each subcontractor is required to have the applicable **contractor license** and is required to obtain a permit for that contractor's work, separate from the tenant's permit.

- When a tenant hires a general contractor (Class A, B, or C license), the **contractor license** requirements are applicable only to the general contractor and not to any other subcontractors. A subcontractor working under the **contractor license** and permit of a general contractor is required to have a **business license** but is not required to have a **contractor license**.
- When a tenant hires a general contractor, the tenant is permitted to perform work authorized by the general contractor. Work performed by the tenant and not authorized by the general contractor shall require a separate permit by the tenant.
- When the tenant accepts responsibility for the work and is unable to comply with code requirements, the building official shall be authorized to require the property owner to acquire professional assistance to complete the work.

Exemption from contractor license requirements is not an exemption from other requirements, such as State and local regulations, permits, fees, inspections, and technical requirements of the codes.