

This is an amendment to 14.12.2 NMAC, amending Section 8, effective April 22, 2022.

14.12.2.8 LICENSING PROCEDURES:

A. Any person or business, prior to engaging in any scope of practice regulated by the act, shall obtain a license in accordance with the act and these regulations. Licensees shall at all times display their license at their primary place of business within public view.

B. Application for any license required by these regulations shall be made on a form provided by the division. Each application shall be accompanied by the required nonrefundable fee as provided by 14.12.10 NMAC. A military service member or veteran as defined in these rules shall not be charged a licensing fee for the first three years a license issued under these rules is valid.

C. If an application is not complete, the applicant will be notified of all deficiencies within 20 days of the division's receipt. If an incomplete application is not completed within 30 days after written notification by the division, the division shall close the license application file.

D. Within 20 days of the division receiving a completed application, the applicant or his designated qualifying party shall be notified that they are eligible to take the required examination. Examinations will be administered by the division at its office in Santa Fe, New Mexico or at locations designated by the division.

E. Any occupational or professional license pursuant to these rules shall be issued as soon as practicable, but no later than 30 days after a military service member or a veteran as defined in these rules files an application and successfully passes any required examination, pays any required fees, and provides a background check if required.

~~[E.]~~ **F.** No license shall be issued until the applicant or his designated qualifying party has passed the required examination, has tendered all fees and has posted all necessary bonds required by 14.12.4 NMAC.

~~[F.]~~ **G.** Any applicant who has not completed an application for licensure within one year after notification that he has successfully passed the entry examination shall be required to reapply for licensure and retake the examination.

H. An application for a license under the Manufactured Housing Act shall be denied pursuant to Section 28-2-4 NMSA 1978 if the applicant has been convicted of a felony enumerated as a disqualifying criminal conviction. A conviction for any one of the following offenses, or their equivalents in any other jurisdiction, is a disqualifying criminal conviction.

- (1) homicide;
- (2) convictions involving physical harm to a person, including assault and battery, sexual offenses;
- (3) kidnapping and human trafficking;
- (4) crimes against children and dependents, including sexual crimes or offenses, and child abuse or neglect;
- (5) arson;
- (6) property damage;
- (7) larceny and theft, including computer crimes, and unlawful taking of a motor vehicle;
- (8) crimes involving fraud, including theft of identity, and money laundering;
- (9) attempt, conspiracy, and solicitation of any disqualifying crime.

I. Any person who applies for a license or certification or renewal under these rules who is convicted of a disqualifying crime in New Mexico or any other state on or after the date of application shall notify the division within 10 days of the conviction, along with the date, crime and case number.

J. Upon denial of a license including denial based on a disqualifying criminal conviction, the applicant shall be provided notice and an opportunity to be heard pursuant to the pertinent notice and hearing provisions of the Uniform Licensing Act.

~~[G.]~~ **K.** Any person applying for a license whose business is a corporation, limited liability company, limited partnership, limited liability partnership or general partnership must submit a certified copy of the articles of incorporation, articles of organization, certificate of registration, or statement of qualification at the time the application is filed with the division.

[14.12.2.8 NMAC - Rp, 14.12.2.24 NMAC, 12/10/2010; A, 4/22/2022]