

**AFFIDAVIT OF EXEMPTION FROM THE
THE KANSAS ROOFING REGISTRATION ACT**

STATE OF _____)

COUNTY OF _____)

1. My name is _____. I am of legal age and sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated. I understand that by submitting this affidavit to the Office of the Attorney General for an exemption pursuant to the Kansas Roofing Registration Act, I am stating that my business is exempt from registering as a roofing contractor with the Office of the Attorney General.

2. I am the sole proprietor, owner, member, or partner of _____,

Business name

a business that operates in the state of Kansas. I am a “general contractor” as defined in K.S.A. 12-1540(d), and upon request of the attorney general could demonstrate by a preponderance of evidence that I meet the following:

- 1.) I am in compliance with all requirements to do business in the state of Kansas, including any municipality or county requirements applicable to the location in which I intend to do business that involves roofing services;
- 2.) I engage in roofing services in addition to construction, installation, renovation, repair, maintenance, alteration, or waterproofing services on the project, and the roofing services do not constitute more than 50% of the total project cost; and
- 3.) Neither my agents, employees, representatives, nor I engage in “door-to-door sales,” as defined in K.S.A. 50-640(c)(1), and amendments thereto; or
- 4.) I contract for the performance of roofing services and if requested by the attorney general, could demonstrate by preponderance of evidence all of the following:
 - a. I do not directly supervise the roofing contractor’s employees or agents and the roofing contractor is a separate legal business entity;
 - b. Neither my agents, employees, nor I engages in roofing services;
 - c. The roofing contractor I use holds an active, valid roofing contractor registration certificate in good standing and I secure a copy of the roofing contractor’s registration certificate and have it available for inspection during business hours at the location where roofing services are being provided;
- 5.) The contract between the roofing contractor and me specifies that the roofing contractor shall perform and be responsible for all roofing services, maintain direct supervision of any agent of such roofing contractor or person hired by such roofing contractor to

perform roofing services, and notify me immediately if the roofing contractor's roofing registration certificate is suspended or otherwise becomes invalid under the provisions of Kansas Roofing Registration Act or is no longer in compliance with any of the requirements of the Kansas Roofing Registration Act;

6.) I understand if I am notified or become aware that roofing contractor used by me has violated or is no longer in compliance with any of the requirements of the Kansas Roofing Registration Act, I shall immediately inform the attorney general; and

7.) I understand that if I violate any of the provisions listed in this affidavit or any other section of the Kansas Roofing Registration Act, my actions shall be deemed to be deceptive or unconscionable practice under the Kansas Consumer Protection Act. I am aware and understand that a violation of the Kansas Roofing Registration Act can be punished by a civil penalty of not more than \$10,000.00 per violation per K.S.A. 50-636(a).

Affiant

Date

Subscribed and sworn to me before this _____ day of _____, 20_____.

My commission expires: _____

Notary Public

Before me, the undersigned authority, personally appeared _____ who, being
Name of affiant

duly sworn on this oath states as above.

Definitions:

K.S.A. 12-1540(d): "general contractor" means any person having the necessary technical knowledge to properly plan and supervise the unlimited erection, alteration, addition or repair of any building or structure.

K.S.A. 50-640(c)(1): "Door-to-door sale" means a sale, lease or rental of consumer property or services with a purchase price of \$25 or more, whether under single or multiple consumer transactions, in which the supplier or the supplier's representative personally solicits the sale, including those in response to or following an invitation by the consumer, and the consumer's agreement or offer to purchase is made at a place other than the place of business of the supplier.