



PUBLIC PROTECTION CABINET

Department of Insurance

Division of Property and Casualty Insurance

(New Administrative Regulation)

806 KAR 2:210. Eligibility Requirements for Contractors and Evaluators in the Strengthen

Kentucky Homes Program.

RELATES TO: KRS 304.2-450

STATUTORY AUTHORITY: 304.2-450

NECESSITY, FUNCTION, AND CONFORMITY: KRS 304.2-450 authorizes the commissioner

to promulgate administrative regulations to establish any rules and eligibility requirements that

are necessary for the proper implementation and administration of the Strengthen Kentucky

Homes program. This administrative regulation establishes the eligibility requirements for

contractors and evaluators to participate in the Strengthen Kentucky Homes Program which are

necessary to carry out the provisions of KRS 304.2-450, relating to the Strengthen Kentucky

Homes Program.

Section 1. Definitions.

(1) "Applicant" means a real property owner seeking, or who has been approved for, a financial

grant pursuant to KRS 304.2-450.

(2) "Commissioner" is defined by KRS 304.1-050(1).

(3) "Contractor" means a person certified to act as a contractor by IBHS and who is approved to

work with the SKH program pursuant to 806 KAR 2:210.

1 (4) “Department” means the Kentucky Department of Insurance as defined in KRS 304.1-050(2).

2 (5) “Evaluator” means a person certified to act as an evaluator by IBHS and who is approved to
3 work with the SKH program pursuant to 806 KAR 2:210.

4 (6) “IBHS” means the Insurance Institute for Business and Home Safety.

5 (7) “IBHS FORTIFIED Designation Certificate” means a certificate issued by IBHS upon
6 successful completion of a FORTIFIED project.

7 (8) “SKH” means the Strengthen Kentucky Homes Program as established by KRS 304.2-450.

8 Section 2. Contractor Eligibility

9 (1) To be eligible to work as an SKH approved contractor, a contractor shall:

10 (a) Be in good standing with IBHS;

11 (b) Maintain all required state or jurisdictional business license(s) or work permits required by
12 Kentucky law;

13 (c) Maintain an in-force General Liability policy with \$1,000,000 in liability coverage;

14 (d) Comply with all state and federal Worker's Compensation laws;

15 (e) Obtain a Letter of Good Standing from the Kentucky Department of Revenue;

16 (f) Complete SKH mitigation projects within the time frame set forth in 806 KAR 2:200 Section
17 5(7); and

18 (g) Create an account and submit to the Department the following through the SKH online portal
19 at <https://skh.doi.ky.gov>:

20 1. An active IBHS-Certified FORTIFIED Roofing Contractor Certificate;

21 2. Evidence of an in-force General Liability policy with \$1,000,000 in liability coverage; and

22 3. A Letter of Good Standing from the Kentucky Department of Revenue.

23 Section 3. Evaluator Eligibility.

(1) To be eligible to work as an SKH approved evaluator, an evaluator shall:

(a) Be in good standing with IBHS;

(b) Maintain all required state or jurisdictional business license(s) or work permits required by Kentucky law;

(c) Maintain an in-force surety bond in the amount of \$50,000;

(d) Obtain a Letter of Good Standing from the Kentucky Department of Revenue; and

(e) Create an account and submit to the Department the following through the SKH online portal at <https://skh.doi.ky.gov>:

1. An active IBHS-Certified FORTIFIED Home Evaluator Certificate;

2. Evidence of an in-force surety bond in the amount of \$50,000; and

3. A Letter of Good Standing from the Kentucky Department of Revenue.

Section 4. Conflict Prohibition.

(1) Contractors and evaluators shall not have a financial interest in any project for which they perform work toward a FORTIFIED designation other than for payment for actual work performed on behalf of the Applicant.

(2) Contractors and evaluators shall not act as both the contractor and evaluator for a FORTIFIED designation on any project funded through SKH.

(3) Both contractors and evaluators shall report, in writing to the Department, any potential conflicts of interest which may violate this Section before work commences on any job funded through SKH.

Section 5. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) “Roofing Contractor Handbook”, (2021 Edition);

- 1 (b) “Certified FORTIFIED Roofing Contractor Agreement”, (2021 Edition);
- 2 (c) “Certified FORTIFIED Evaluator Handbook”, (2023 Edition); and
- 3 (d) “Certified FORTIFIED Home Evaluator Agreement”, (2023 Edition).
- 4 (2) This material may be inspected, copied or obtained, subject to applicable copyright law, at
- 5 the Department of Insurance, Mayo-Underwood Building, 500 Mero Street, Frankfort, Kentucky
- 6 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available on the
- 7 department's website at: <https://insurance.ky.gov/ppc/CHAPTER.aspx>.

READ AND APPROVED:



Sharon P. Clark
Commissioner, Department of Insurance

7-4-2025

Date



Ray A. Perry
Secretary, Public Protection Cabinet

7-9-25

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held at 9:00 AM on September 22, 2025, at 500 Mero Street, Frankfort, KY 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. If held, this hearing will be open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 PM on September 30, 2025. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

Contact Person: Shaun T. Orme

Title: Executive Advisor

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REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

806 KAR 2:210

Contact Person: Shaun T. Orme

Phone: 502-782-1698

Email: shaun.orme@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does:

806 KAR 2:210 provides the eligibility requirements for contractors and evaluators for the Strengthen Kentucky Home Program.

(b) The necessity of this administrative regulation:

KRS 304.2-450 mandates the Department promulgate regulations for administering the Strengthen Kentucky Homes Program.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 304.2-450 provides that the Department shall establish the eligibility criteria, requirements, and procedures for participating in the Strengthen Kentucky Homes Program.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

806 KAR 2:210 provides the eligibility requirements for contractors and evaluators for the Strengthen Kentucky Home Program.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: N/A

(b) The necessity of the amendment to this administrative regulation: N/A

(c) How the amendment conforms to the content of the authorizing statutes: N/A

(d) How the amendment will assist in the effective administration of the statutes: N/A

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This regulation affects those persons eligible to become certified FORTIFIED contractors and evaluators. The number of individuals eligible is unknown.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(1) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

Contractors and evaluators interested in participating in the Strengthen Kentucky Homes Program will be required to comply with the certification requirements set forth in the Evaluator and Contractor Handbooks which are incorporated into the regulation. Furthermore, each participant will be required to submit to the Department proof of certification, an in-force insurance policy or bond, and a letter of good standing from the Kentucky Department of Revenue.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

The cost to comply with the regulation is de minimis.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

As a result of compliance, eligible contractors and evaluators will be able to participate in the Strengthen Kentucky Homes Program which will provide these entities significant additional business and funding opportunities.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(1) Initially: This regulation alone does not have any associated cost.

(b) On a continuing basis: This regulation will not cost any amount on a continuing basis.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

HB 256 appropriated an initial five million (\$5,000,000.00) dollars from the Insurance Regulatory Trust Fund to the Strengthen Kentucky Home Program. Funding in the future will come from interest earned on investments, additional appropriations, and/or grants.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

There will not be an increase in fees related to this administrative regulation. If the program is successful, additional funding in the future may be appropriate.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

This administrative regulation does not establish any fees.

(9) TIERING: Is tiering applied? (Explain why or why not):

Tiering is not applied as the provisions of this administrative regulation apply to all entities equally.

FISCAL IMPACT STATEMENT

806 KAR 2:210

Contact Person: Shaun T. Orme

Phone: 502-782-1698

Email: shaun.orme@ky.gov

- (1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

KRS 304.2-450

- (2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

KRS 304.2-450

- (3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

Department of Insurance

- (b) Estimate the following for each affected state unit, part, or division identified in

(3)(a):

1. Expenditures:
For the first year: < \$5,000,000.00
For subsequent years: *Unknown*
2. Revenues:
For the first year: \$0.00
For subsequent years: *Unknown*
3. Cost Savings:
For the first year: \$0.00
For subsequent years: *Unknown*

- (4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

This regulation will not affect any local entities.

- (b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:
For the first year: *N/A*
For subsequent years: *N/A*
2. Revenues:
For the first year: *N/A*
For subsequent years: *N/A*

- a. Cost Savings:
For the first year: *N/A*
For subsequent years: *N/A*

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

This regulation will not affect any regulated entities.

(b) Estimate the following for each regulated entity identified in (5)(a):

- 1. Expenditures:
For the first year: *N/A*
For subsequent years: *N/A*
- 2. Revenues:
For the first year: *N/A*
For subsequent years: *N/A*
- 3. Cost Savings:
For the first year: *N/A*
For subsequent years: *N/A*

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation:

The Department of Insurance is tasked with promulgating regulations related to the administration and operation of the Strengthen Kentucky Homes Program pursuant to KRS 304.2-450. Accordingly, the General Assembly has appropriated five million (\$5,000,000.00) dollars for this program.

(b) Methodology and resources used to reach this conclusion: *N/A*

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(13):

This regulation will not have a major economic impact as defined by KRS 13A.010(13).

(b) The methodology and resources used to reach this conclusion: *N/A*

SUMMARY OF MATERIALS INCORPORATED BY REFERENCE

806 KAR 2:210

- (a) “Roofing Contractor Handbook”, (9pgs.), 2021 edition. Handbook setting forth the eligibility requirements for contractors to become FORTIFIED contractors and remain in good standing which is a requirement for SKH program eligibility pursuant to 806 KAR 2:210 Section 2(1)(a).
- (b) “Certified FORTIFIED Roofing Contractor Agreement”, (6pgs.), 2021 edition. Agreement which must be signed by a contractor before being IBHS-certified, which is a requirement for SKH program eligibility pursuant to 806 KAR 2:210 Section 2(1)(a).
- (c) “Certified FORTIFIED Evaluator Handbook”, (20pgs.), 2023 edition. Handbook setting forth the eligibility requirements for evaluators to become FORTIFIED evaluators and remain in good standing which is a requirement for SKH program eligibility pursuant to 806 KAR 2:210 Section 3(1)(a).
- (d) “Certified FORTIFIED Home Evaluator Agreement”, (5pgs.), 2023 edition. Agreement which must be signed by an evaluator before being IBHS-certified, which is a requirement for SKH program eligibility pursuant to 806 KAR 2:210 Section 3(1)(a).