

American Institute of Constructors

Constructor Certification Commission Policy and Procedures No. 4.3

Use and Surveillance of the AC and CPC Credential

Policy – The AC and CPC designations may be used in a professional manner on the certificant’s business cards, stationery, literature, advertisements, windows, or in any other comparable manner. The AC and CPC designations may not be used in any manner that, in the sole discretion of the Commission, discredits the Commission or tarnishes its reputation and goodwill; is false or misleading; violated the rights of others; violates any law, regulation or other public policy; or mischaracterizes the relationship between the Commission and the certificant, including but not limited to, any use of the credential that might be reasonably construed as an endorsement, approval, or sponsorship by the Commission of the certificant, the certificant’s business or organization, or the certificant’s products or services, or that might be reasonably construed as support or encouragement to purchase or utilize the certificant’s products or services. The Commission AC and CPC designations shall remain at all times the sole and exclusive intellectual property of the Commission and the Commission on an annual basis will conduct a formal surveillance to insure certificants are adhering to this policy.

Responsibility – Constructor Certification Commission

Reference Commission Documents – Commission Document No. 5 - Certification Certificate, Commission Document No. 7 - Continuing Professional Development Requirements

Procedures – The following are the procedures for the use and the Commission surveillance of use of the AC and CPC designations.

1. Those passing the Level I or Level II certification examinations and providing all required documentation such as acceptable proof of completing educational requirements will be awarded the AC or CPC designation. They will be assigned a unique number in accordance with Commission Policy 4.1 and will receive a copy of Professional Development Requirements (Commission Document No. 7).
2. On an annual basis, the Commission shall select a random sample of 10% of the certificants at both the AC and CPC levels and request samples of the use of the respective certification designation from which it may determine compliance with its policy. Furthermore, the Commission’s Certification Manager, for the same 10% sample, will conduct a computer search of the names to also insure they are in compliance.
3. Without further notice, the Commission reserves the right to prohibit use of the AC and CPC designations if it determines that a certificant’s designation usage, whether willful or negligent, is not in strict accordance with its policy.

4. It is the responsibility of the certificant to notify the Commission, within 30 days of the it's occurrence of matters that can affect the certificant's capacity to continue to fulfill the Constructor Certification Commission requirements.
5. The Commission reserves the right to revoke the AC or CPC credential under the following conditions:
 - a. Failure to fulfill all recertification requirements
 - b. Commission of a felony
 - c. Fraud or misrepresentation in initial certification or recertification application
 - d. Violation of certification examination policies
 - e. Nonpayment of required fees
 - f. Breach of the AIC Code of Ethics
6. Any individual whose credential has been revoked, except for a felony conviction, fraud or misrepresentation to the Commission, may re-apply for the credential after six (6) months of revocation provided that he/she submits a new application form, meets current eligibility requirements, takes the respective examination, pays all applicable fees, and lists and describes all remedial steps he/she has taken since such revocation that would tend to reflect rehabilitation.
7. Those convicted of a felony or committed fraud or misrepresentation to the Commission or a breach of the AIC Code of Ethics may apply to the Commission for reinstatement. The Commission at its sole discretion will determine what information will be required from the individual for reinstatement and the time frame in which it must be furnished to the Commission. Upon due consideration by the Commission of all the facts in the case, the Commission will either grant reinstatement or deny same. The Commission may require retesting and/or additional fees from the applicant prior to reinstatement. The Commission's decision in the matter is final.
8. In the event the Commission learns or is informed that an individual (certified or not) is using the AC and/or CPC designation inappropriately (not in accordance with the current polices stated herein) needed action as described in Policy 5.7 – Ethical Conduct of Certificants will be taken by the Commission to substantiate the occurrence. In the event that such investigation proved to support the inappropriate use of the designation(s), the Commission will send a "Cease and Desist" letter to said person. A draft of such a letter for the CPC designation is contained at the end of this Policy.
9. Copies of all documents and related correspondence, generated in complying with this policy will be placed by the Certification Manager in the respective certificant's secured Commission file.

Draft of Cease and Desist Letter

Dear [name]:

It has come to our attention that you have made an unauthorized use of the AIC. Constructor Certification Commission's "Certified Professional Constructor" (CPC) mark. As you are not currently a Certified Professional Constructor, [having never fulfilled the necessary experience and testing requirements | your designation having expired without being renewed in 200X], you are not authorized to use, or in any way represent yourself as having, the CPC designation.

As you have [never applied for the certification | been informed on January Xth, 200X that your certification was revoked], your continued use of the CPC designation constitutes an infringement of the Commission's rights under 17 U.S.C. Section 101 et seq. and could be liable for statutory damages as high as \$150,000 as set forth in Section 504(c)(2) therein.

The Commission demands you immediately cease the use and distribution of all documents and correspondence that state or imply that you are a Certified Professional Constructor, and that you desist from this or any other infringement of the Commission's rights and authority in the future. If we have not received an affirmative response from you by [date give them about 2 weeks] indicating that you have fully complied with these requirements, we shall consider further action against you.

Revision History

Last Revision: 04/25/2022