

Declaratory Statement Frequently Asked Questions

1. What is a declaratory statement?

A **declaratory statement** is the sole means for a Florida licensed contractor or their representative to obtain a binding interpretation or opinion from the Florida Construction Industry Licensing Board (CILB) concerning the applicability of statutory provisions, rules or orders over which the CILB has authority.

2. Are there any limitations of what I can request a declaratory statement about?

Yes. A petition for declaratory statement may be used only to resolve questions or doubts as to how the statutes, rules, or orders may apply to the petitioner's particular circumstances. A declaratory statement is not the appropriate means for determining the conduct of another person or for obtaining a policy statement of general applicability from an agency. A petition for declaratory statement must describe the potential impact of statutes, rules, or orders upon the petitioner's interests.

3. Who will respond to my request for a declaratory statement?

Upon reaching a decision, the Construction Industry licensing Board will issue an Order setting forth its findings of fact and conclusions of law. A copy of the Order will be mailed to the Petitioner's address. Issued Declaratory Statements can also be found on the Construction Industry Licensing Board website at "List of Declaratory Statements".

4. How do I request a declaratory statement?

[Section 120.565, Florida Statutes](#), and [28.105, Florida Administrative Code](#), set forth the requirements for filing a petition for declaratory statement from the CILB. You may request a declaratory statement from the board by filing a Petition for Declaratory Statement with the Department of Business and Professional Regulation's Agency Clerk's Office at:

Department of Business and Professional Regulation
Agency Clerk's Office
2601 Blair Stone Road
Tallahassee, Florida 32399-2202
Telephone: 850.921.0342
Facsimile: 850.488.5761
Email: AGC.Filing@myfloridalicense.com

Requests for filings may be submitted by hand delivery, regular mail, email or facsimile transmission. Filings will be accepted during business hours; requests received after 5:00 p.m. will be filed on the next regular business day.

5. Do I need to appear when the CILB reviews my Petition for Declaratory Statement?

No, you are not required to appear at the Board's meeting. However, your appearance is recommended in the event that the Board has questions regarding your petition.