



# THE CALIFORNIA LICENSED CONTRACTOR

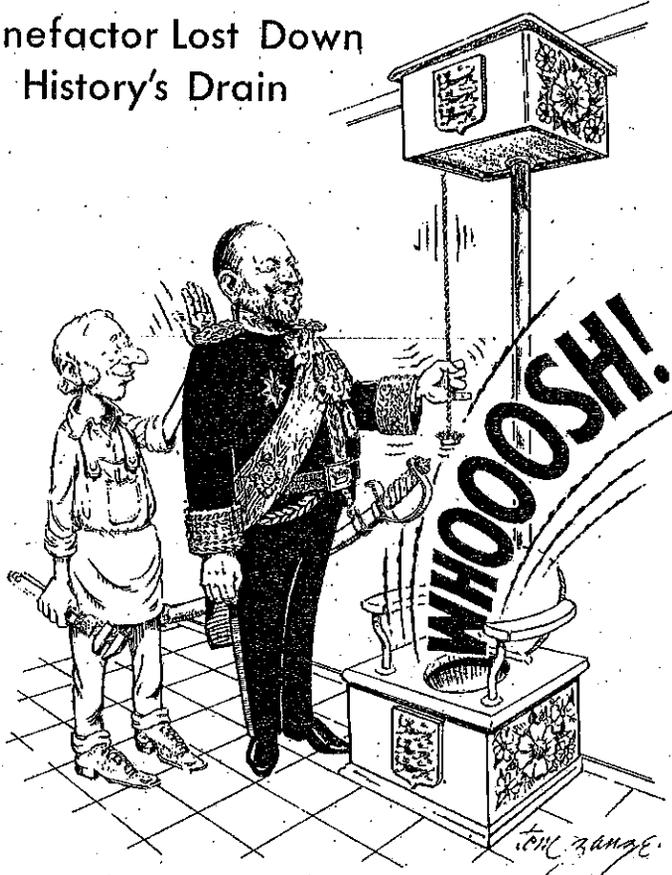
EDMUND G. BROWN JR., Governor

FALL 1978

RICHARD B. SPOHN, Director

## 'Tanks,' Sir Thomas—

### Benefactor Lost Down History's Drain



Consider Sir Thomas Crapper, a man lost in the shifting mists of history, whose name has been reduced to a vulgarism despite his service to mankind.

Royal plumber to two English Kings, Crapper is the inventor of the flush toilet as we know it today.

As suggested by his biographer, British author Wallace Reyburn, had Crapper's contribution been of a different nature his name might be honored daily through its usage as a synonym for his invention. Chesterfield, Davenport and Wellington, all men of yesteryear have been so honored; their names are daily household words.

Put it this way. The old subtlety, "I'm going to powder my nose," is a pretty poor tribute to a man whose effort means so much to the comfort and convenience of humanity.

Properly, Crapper should rate up there with Darwin or Einstein.

Evidence unraveled through the tissue of time shows that Crapper began as a plumber in London in the 1840's.

Royal plumber, by appointment to their majesties, Kings Edward VII and George V, was the title Crapper earned through the device his workers built, tested and gave to the world—"Crapper's Valveless Water Waste Preventer."

Crapper's invention replaced an earlier device through which water ran constantly and which the British Board of Trade feared would dry up London's water supply.

The master of the flush installed his lovely, flowered toilets in Sandringham Palace, their seats fashioned of subtly warm and aromatic cedar.

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## Board Trains Deputies for the Field

The Contractors' State License Board gave an extensive training course in processing consumer and labor complaints in June to twenty new deputy registrars, most of whom are now working in various Board offices throughout the State. The program was coordinated from material developed in Board regional offices around the state by Special Programs Deputy IV Eugene Smith. It is designed to reduce the time required to handle consumer complaints, and to improve the relationship between the contractor and consumer. This is accomplished by providing each deputy registrar with a professional approach toward consumer complaints. The job of a deputy is not an easy one, and can lead to a great deal of stress.

The consumers' feelings of displeasure and frustration resulting from what they feel is mistreatment by a contractor is the problem most often encountered by field deputies. A deputy tries to resolve the complaint in its early stage by contacting the complainant for a description of the problem. Then the deputy informs the contractor of the complaint and of the position of the Contractors' Board.

If the complaint is not resolved in the early screening stage, it is assigned to a field deputy registrar who gathers enough physical evidence to determine if it is a violation of the license law and is cause to discipline a contractor licensee. It is in this area that we

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### The Licensed Contractor Is Your Publication

How do you like it? In the summer issue, we changed the layout, and this fall we covered some stories, news and history angles differently than they were done in the past.

If you have suggestions as to what you would like to see in the paper, or what would be helpful to you as a contractor or consumer, please send them to the Special Programs Deputy, Contractors' State License Board, Room 578, 1020 N Street, Sacramento, CA 95814; or call (916) 322-3218.

### LAZZARA APPOINTED TO CONTRACTORS' BOARD

John Lazzara, district director of organizing, International Brotherhood of Painters and Allied Trades, of Anaheim, was appointed by Governor Brown to the Contractors' Board as a representative of labor.

Lazzara, who supervises four general representatives and designates work assignments within 10 western states, is directly involved in the administration of labor contracts encompassing ten district councils and over 125 local unions consisting of around 70,000 members. In special volunteer work, he served on the Advisory Council for Mayors of Los Angeles, assisted in the formation of and is a charter member of the 19th Congressional District, and is active in legislative action relating but not limited to painting, decorating, drywall, glazing, and sign and floor covering industries.

Lazzara also served in the 143rd Infantry and 962nd Ordnance Ammunition Renovation, receiving an honorable discharge as technical sergeant in 1946.

### An Apology

As Special Programs Deputy and editor of *The Licensed Contractor*, I wish to apologize to the members of the Contractors' State License Board whose names were inadvertently deleted from the summer issue; Dr. Charles W. Hostler, public member from San Diego, Reed W. Sprinkel, "A" Contractor from Fontana, and Mr. Roads Veale, public member from Etna.

The terms of Board members are set forth in Section 7003 of the Contractors License Law. The four-year terms of Dr. Hostler, Mr. Sprinkel and Mr. Veale expired May 30, 1978. Board members whose terms expire can be replaced, or the members can be reappointed for another four-year term. Each member holds office until the appointment and qualification of the successor, or until one year has elapsed from the expiration of their term of office, whichever comes first.

I apologize to these Board members for the omission of their names from the summer issue of *The Licensed Contractor*, and deeply regret any embarrassment this may have caused them.

—Eugene E. Smith

### CONSUMER BROCHURE AVAILABLE

The staff of the Contractors' License Board has developed and printed a brochure, *A Consumer Guide to Filing Construction Complaints*, which is available at local Board offices, building departments, and consumer groups throughout the State. It also accompanies complaint forms sent or given to consumers.

Central Region's Office Services Supervisor Jan Parsons and Northern Regional Deputy Mel Cooper studied various brochures from other boards and bureaus in

the Department of Consumer Affairs, chose a format, and produced a rough draft of the brochure under the direction of Contractors' Board Member Ken Clifford. Special Programs Deputy Gene Smith and Educational Assistant Shirley Weber added final recommendations of the Board, edited the final draft, and chose a preliminary layout. Smith was successful in getting the State Printing Plant to do a rush art layout and printing job so that the brochure was available in August.

## Board Trains Deputies

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find extensive training is necessary to perform the function required by law.

The Board receives in excess of 30,000 complaints a year. Over ninety percent of these complaints are referred to the field for investigation. Of that ninety percent, 5½ percent involve disciplinary action. The balance of the cases, or 84.5 percent, are settled by the consumer and the contractor, with the deputy registrar acting as an arbitrator. Sometimes the case is dismissed by the deputy for lack of sufficient evidence to prosecute.

The deputies are trained in the fundamentals of gathering evidence, interviewing witnesses, checking books and records, and recording violations of law.

For those of you who think deputy registrars have an easy job, the following is a description of a typical work day.

The deputy usually arrives at the office by 7:00 a.m. He or she makes the necessary appointments for the day, usually for eight or ten interviews. Each interview ranges in length from one quarter hour to three or four hours.

The deputy discusses complaints with each and every irate consumer, and feels the tension generated by their anger. In large numbers of instances, complaints are legitimate and there are violations of the license law. A statement is obtained from the consumer and preliminary evidence is gathered to support the complaint. If additional evidence is necessary, the deputy gathers it before discussing the complaint with the contractor.

The licensed contractor is invited to explain his/her position regarding the complaint. Specific questions are asked about each violation, and the contractor is given the opportunity to eliminate the violations before disciplinary action is filed. If the contractor is receptive to conciliating the complaint, a time and date is set for completion of repair work or settlement. The contractor is given a reasonable amount of time to do the needed work or make settlement arrangements.

If the complaint between the consumer and the contractor cannot be resolved, the deputy's primary duty is to collect the information necessary to file a disciplinary action, and to file a report with recommendations with his/her supervisor.

The deputy usually arrives home after 6:00 p.m. to a cold supper and frustrated family, only to receive word that it is necessary to go out and serve a subpoena. Depending on how evasive the party being served is, the deputy may be home around 10:00 or 11:00 p.m.

Because of the volume of the deputy registrars' workload and the stress they incur, Consumer Affairs Department Training Officer Gerry Busby has been giving the job survival and stress reduction training. Sessions have been completed in the central part of the state and began in the northern and southern areas this fall.

## Tract Homes Serve Needs of Many

"Many tract homes are built as well, if not better, than many custom homes," says Carroll E. Brock, Senior Vice President and Sacramento Division Manager of M. J. Brock & Sons, Inc., Contractors and Developers in California and Colorado who have built over 20,000 homes since the company was started by M. J. Brock, Sr. in the early 1920's. "It's just that we work in volume to keep prices down; we cannot afford to make many changes in the way our homes are designed to be built. The custom builder, on the other hand, outlines how the crew works from day to day, and by being on the job most of the time does have the ability to make some changes." Brock & Sons will complete about 1,400 homes this year; 1,200 of which are in California.

"We can produce a good quality home, which is a good value, at a good price," says Brock, "but first the buyers have to decide what they want. If it is a tract home they want, or can afford, they must be willing to make

some compromises. If they want a lot of changes, they should probably look for a custom builder."

"One thing consumers often forget," Brock says, "is that it is important for the builder, or developer, to make a profit. If this does not take place no one's need is served. If the contractor goes out of business the consumer does not get the needed housing; people are laid off, and the bad things that happen just multiply. Contracting is an extremely competitive business." M. J. Brock started his family business in 1923, but M. J. Brock & Sons was not incorporated as the surviving company until 1938.

When shopping for a tract home, Brock says it pays to buy from a reliable builder. The buyer should not necessarily look for the oldest builder in the area, but for one who has worked in the community for at least a couple of years, and whose reputation is known.

"Just walk into any housing area the builder built, and ask random homeowners what they think of the builder," says Brock. "You'll know how good the builder is by the time you've talked to a half a dozen people."

"It is really difficult to look at a model home and say this is a good one, or that one is bad," says Brock. "Furniture and decorating can gloss over all sorts of poor floor plans or poor workmanship. Some models use mirrors extensively, which is intended to give a deceptive impression about the size of the house." He recommends looking at a completed house without the furniture and decorating to see what the house really looks like.

"Look out for the really low price," Brock says. "Unfortunately there are still a few very bad builders in the business. If you find a house that is 10% or 20% below the cost of comparable houses, look for the reasons why. Be very wary of such situations. It is very unusual for a builder to be able to save that much over other builders."

The consumer should always ask to see what kind of warranty the house carries.

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## CETA Projects Exempt From Licensing

The Contractors' Board receives numerous requests from city and county agencies for interpretation of requirements for a contracting license for community service agencies involved in construction activity funded by the Federal Government under the Comprehensive Employment Training Act (CETA). The purpose of these community programs is to use state and federal grants to train or rehabilitate adults in the construction field. The trainees are supervised by experienced and well qualified personnel to insure quality installation and construction. Our Board requested an opinion from the Attorney General to determine if the programs are exempt from the contractor licensing requirements.

Some nonprofit community service administration programs offer materials and labor for installation of weather stripping and insulation in low income housing. Rentees, lessees or property owners in low income areas are solicited and their houses are inspected to determine whether they meet certain California Service Agency (CSA) guidelines which define poverty levels. If so, they qualify for weatherstripping and insulation free of charge.

In an informal opinion, the Attorney General stated that services performed under the CSA programs are exempt under Section 7048 of the Business and Professions Code when the aggregate contract price for all labor, material and other items is less than \$200. The exemption exists only as long as a party applies for it and does not advertise or otherwise indicate to the public that he/she is a licensed contractor or is legally qualified to engage in the business of contracting.

The opinion goes on to state that since the programs are presented by an agency of a city or county government, they may be further exempt under Section 7040 of the Business and Professions Code. This section appears to exempt "authorized representatives of the United States Government, the State of California, or any incorporated town, city,

county, irrigation district, reclamation district or other municipal or political corporations or subdivisions of this State." The work is not required to be in connection with governmental property or projects. In most cases, the work does require building permits and inspection by local building departments.

## TENTH ANNUAL SOLAR ENERGY COURSE AT UC BERKELEY

The tenth presentation of an intensive two-day course, "Solar Energy for Buildings, Houses and Pools," took place Sept. 22-23, 1978, at the University of California at Berkeley. Continuing Education in Engineering and the College of Engineering, UC-Berkeley were joint sponsors.

First offered in September 1975 and repeated periodically in response to the growing interest in solar power, the course was aimed at providing a basis for making informed judgments about solar energy systems, including rough performance estimates and calculations. The topics covered included active and passive systems for space heating, cooling systems, domestic hot water systems, industrial and commercial applications, state and federal tax provisions and such legal questions as "sun rights." New developments as well as basic principles and methods were discussed.

Dr. Marshal Merriam, associate professor of engineering science at Berkeley and a member of the International Solar Energy Society, was in charge of instruction. Co-instructors were Charles Barnaby and Bruce Wilcox, members of a private firm in Berkeley, the Solar Energy Group.

The course registration fee of \$100 included lecture notes. Enrollment was limited and advance registration was necessary.

Further information may be obtained by writing to *Continuing Education in Engineering*, University of California Extension, 2223 Fulton St., Berkeley, CA 94720, or by calling (415) 642-4151.

### Glossary of Construction Definitions

**Hydroelectric Construction** . . . is just one dam thing after another

**Diversification** . . . an attempt to profit by betting on every horse in the race.

**Specialization** . . . betting everything on the wrong horse.

**Contractor** . . . a gambler who never gets to shuffle, cut or deal.

**Bid Opening** . . . a poker game in which the losing hand wins.

**Bid** . . . a wild guess carried out to two decimal places.

**Low Bidder** . . . a contractor who is wondering what he left out.

**Engineer's Estimate** . . . the cost of construction in heaven.

**Project Manager** . . . the conductor of an orchestra in which every musician is in a different union.

**Critical Path Method** . . . a management technique for losing your shirt under perfect control.

**Strike** . . . an effort to increase egg production by strangling the chicken.

**Delayed Payment** . . . a tourniquet applied at the pockets.

—from Green Bay Builders Exchange

# 1978 LEGISLATION

The February, 1972 edition of *The Licensed Contractor* carried our first summary of pending legislation pertinent to construction contractors. Since then, we have maintained the policy of informing our readers of legislation affecting them.

The following are Senate and Assembly bills that may have an impact on you. You may or may not agree with a particular bill. If you have strong feelings pro or con, then by all means let your legislators know how you feel.

The following bills we formerly reported on passed the Legislature, were enrolled and sent to the Governor for signature:

**AB 1647—Mori** The act amends Section 7068.2, 7069, 7071.3, 7073, 7123, 7137, 7140 and 7153.1. It makes certain technical changes necessitated by enactment of other statutes, clarifying the existing changes.

**AB 1963—Dixon** This bill was amended several times after our first report on it. The amendments deleted the changes to Sections 7107 (Abandonment), 7113 (Failure to complete a contract for the contract price), and 7115 (Failure to comply with the provisions of laws). The bill limits the class of persons for whose benefit the bond is required under Sections 7071.5 and 7071.10 of the Business and Professions Code by requiring a willful violation rather than any violation of Sections 7107, 7113 and 7115.

**AB 3333—Young** The amended bill clarifies the provision that if a licensee has engaged in repeated acts constituting disciplinary action, correction of conditions arising from such acts shall not in themselves preclude disciplinary action.

**AB 3650—Thurman** This bill was amended to include the following changes in paragraph (b) of Section 480: that no person shall be denied a license on the basis of conviction of a crime if they obtain (1) a certification of rehabilitation, or (2) termination of probation and dismissal of any information or accusation; or if they meet all applicable requirements of the criteria of rehabilitation developed by the licensing Boards.

**SB 1459—Cusanovich** This is an act to amend Section 7026.6 and Section 7026.7 of the Contractors License Law, making a person subject to the license laws if they advertise their name or business namestyle and include it under a construction classification of work or work of improvement.

#### These bills died:

AB 564—Thurman	AB 3314—Lockyer
AB 2014—Knox	AB 3361—Bannai
AB 2458—Thurman	SB 1632—Marks
AB 2962—Bates	SB 1740—Robbins
AB 3010—Wray	SB 1743—Alquist
AB 3153—Lockyer	SB 1753—Robbins
AB 3217—Gage	SB 2145—Rains

#### Bills Not Reported on in the Past

There are several bills *The Licensed Contractor* has not reported on in the past that affect consumers and contractors. The following is a summary of those that were

passed by the Legislature, enrolled, and sent to the Governor for signature:

**AB 1495—Dixon** The bill makes it unlawful for any State Board or agency and authorities in Department of Consumer Affairs to require any examination or examinations that have an adverse effect on any class because of race, religion, creed, color, national origin, ancestry, sex, age, medical condition or physical handicap unless such practice is job related. Agencies cannot print, circulate any publication, or make any non-job related inquiry either verbally or through use of application forms which express any limitations, specifications, or discrimination as set forth above. Agencies cannot discriminate against any person who may file a complaint under the act. Records of all applications or certifications must be on file for at least two years.

**AB 3363—Lockyer** The bill requires the Labor Commissioner to notify the Contractors' State License Board whenever a licensed contractor is found to have engaged in willful or deliberate violation of the Labor Code. It further requires the Registrar to initiate formal disciplinary action within 30 days of such notification.

**SB 1633—Alquist** Existing law allows the State Energy Resources Conservation and Development Commission one year in which to enforce standards it sets for insulation material, effective July 1, 1978. The Commission is also required to conduct periodic inspection for compliance. SB 1633 reduces the one year compliance period to 180 days, and requires the manufacturer to develop and implement a quality assurance program and keep the testing records for three years.

**SB 1664—Robbins** To provide uniformity in design, the bill requires building departments in cities and counties to print the declaration required by law on the left front column of all building permits. The declaration sets forth information on the parcel, owner, contractor, architect, engineer, workmens compensation fund and the construction lender.

#### The following bills died:

**AB 2369—Imbrecht** This bill would have abolished State Regulatory Agencies of the Resource Agency by July 1, 1980; Business and Transportation by July 1, 1981; and the Health and Welfare Agency by July 1, 1982. It

# 1978 LEGISLATION

would also have established criteria and procedures for review of the agencies by the Joint Legislative Audit Committee and other committees of the Legislature prior to termination, and limit the time during which they might continue or be reestablished. Limitations regarding the contents of bills to continue or reestablish the agencies were also imposed.

**AB 3145—McCarthy** This bill was to accomplish the same purpose as AB 2369, but in a more direct route. It would have repealed Chapter 9, Division 3 of the Business and Professions Code commencing with Section 7000 unless prior to June 30, 1981 the Legislature enacted a bill continuing the existence of the act. The bill would have repealed all laws, rules and regulations, licensing or registration of all licensed contractors and home improvement salespersons under Section 7000, commonly referred to as the Contractors License Law.

**AB 2919—Brown** The bill would have required the furnishing of technical services to boards, bureaus and commissions of the

Department of Consumer Affairs for their examinations by an examination unit within the Department. It would also establish a review procedure for those who failed the examinations.

**AB 3217—Gage** Contractors accused in complaints of violations of specified provisions of the Contractors License Law would have been required to submit a statement of their present financial condition to the Contractors' Board within ten (10) days of notification by the Registrar.

**AB 2962—Bates** The law requires structural pest control licenses to be classified into three branches; fumigation, general pest and termite. The bill would have required a fourth branch to license persons engaged in the inspection and certification of insulation.

**SB 1535—Song** This bill would have made the judicial review of all administrative orders and decisions of all boards the same. It also would have provided and maintained a staff of part time pro tempore hearing officers, and made administrative changes regarding the service of documents.

## Tract Homes Serve Many Needs (Continued from Page 3)

He/she should also ask the builder what kind of financing is available. "All of our homes are built to FHA-VA standards," says Brock. "Many times a builder can make a commitment with a lender that can provide more favorable terms to the buyer than the buyer could otherwise secure. Many times we will pay a lender a fee to give us a commitment for a number of homes that we are going to build. This allows us to pass this favorable commitment on to the purchaser. Of course, if that rate goes down it means that we have paid the fee for nothing, and sometimes even can lose the fee. It is a gamble and it is another of the problems that the builder faces."

Brock says that consumers and many governmental agencies complain when the developer starts work on a new piece of ground and removes trees. "I think most developers, ourselves included, will save all trees possible. But sometimes it just isn't practical for good land use to save the trees that always seem to grow on the very top of a knoll, or in the deeper valleys." Brock states that if you go by the same subdivision five years later you will see that each homeowner has planted a large number of trees and in many cases it would be difficult to know the difference between the trees that were left and the ones that the buyer has planted.

"We use a variety of building styles in every development so that the houses have quite a different look to them. Between that and the fact that every homeowner does something different to the outside of their home in

landscaping, lighting effects, painting, etc. You really can't say that any of the houses look the same on the outside," says Brock.

"In building a new home there are always some service problems to take care of, and generally speaking, this is done through normal operations," Brock says. "But we do have about 4% or 5% of our buyers who are more difficult to satisfy. In this day and age I think most builders are doing a reasonably good job on service, but I know there are still some complaints that reach the Contractor's Board. One of the things that does irritate the contractor is when a buyer goes to the Contractor's Board prior to at least talking with the builder to try and solve the buyer's problem."

In addition to exercising great care in buying a home, it is equally important for the homeowner to understand that he or she has to maintain the home, according to Brock. This may be particularly difficult for those who have never owned a home before. "It would be a super idea if they would teach this in the schools," Brock says. "We have seen buyers from lower income districts who did not know how to use a checkbook, or manage a home they bought. Through lack of knowledge, many of them lost their investment, which was truly unfortunate. I hope something can be done to solve this problem in low-income housing," he says.

*Editor's Note: Parts of this interview will be used in a forthcoming guide to consumers on how to select and work with construction contractors.*

## Crapper Lost in History

*(Continued from Page 1)*

The power of Crapper's device is substantiated by the records. Some 80 years ago, one of his experimental toilets engulfed 10 apples, three balls of paper, plumber's grease coating the bowl and four pieces of paper sticking to it—all in one pull.

Only partial due has ever been paid Sir Thomas.

American soldiers returning from England after World War I spread his fame and the phrase "going to the Crapper," got popular usage in the roaring 20s. Eventually the phrase was included in the American Dictionary of Slang.

But today, Crapper's invention, a necessity in American homes for more than 100 years, is under pressure in water-scarce California.

Some state officials say they are convinced Crapper's commode is too wasteful. Flushing it takes an average of six gallons of water, an amount, experts say, totals about 27 billion gallons a year.

Last January, a new state law went into effect requiring that all new toilets installed use no more than 3½ gallons per flush.

Some say even more conservation is possible. Ed Burton, a Willits, Mendocino County, entrepreneur, thinks he has just the solution to the problem.

"We can use compressed air. It's just as clean and less wasteful than a flush toilet," he said.

In a toilet produced by Burton Microphor, Inc., an air compressor sends two quarts of water swooshing around the bowl with enough pressure to do the job cleanly with one-tenth the water.

Burton claims his system, built for use on boats and trains, also cuts down on the cost of sewage treatment.

"We didn't know the drought was coming when we started developing our toilet six years ago. But it didn't hurt our sales," he said.

And Leonard Grimes, director of the State Department of General Services appears to agree.

"The flush toilet may be here for some time," he said. "But even if we continue with this water-based approach, it won't be the kind of flushing we have known."

*Story by Max Miller. Original Art by Bee Staff Artist Tom Zanze. Reprinted with the permission of Sacramento Bee.*

People can be divided into three groups: those who make things happen, those who watch things happen, and those who wonder what happened.

## DISCIPLINARY ACTIONS DO NOT INCLUDE LICENSES SUSPENDED FOR FAILURE TO MAINTAIN REQUIRED BONDS

The following explanation may be helpful to those persons interested in the causes of disciplinary action indicated by sections violated in the table of Disciplinary Actions:

7071.11	Judgment or admitted claim against bond.	7112	Misrepresentation of a material fact on an application.	7122	Participation of licensee in violating Contractors Law.
7097	Suspension of additional licenses.	7113	Failure to complete a project for the price stated in the contract.	7122.5	Responsibility of Qualifying Person for acts committed by his principal.
7098	Revocation of additional licenses.			7123	Conviction of a Felony in connection with construction activities.
7107	Abandonment of a project without legal excuse.	7113.5	Avoiding or settling for less than lawful obligations as a contractor through the various bankruptcy proceedings.	7124	A plea of nolo contendere is considered a conviction.
7108	Diverted funds or property received for a specific job to other purposes.	7114	Aiding and abetting an unlicensed person.	7154	Employment of unregistered home improvement salesmen.
7109	Willfully disregarded plans and specifications, or has failed to complete the job in a good and workmanlike manner.	7115	Failure to comply with the Contractors Law.	7155	Participation in violation by a home improvement salesmen.
7109.5	Violation of Safety Laws resulting in death or serious injury.	7116	Committing a willful or fraudulent act as a contractor.	7157	Model Home, kickback prohibition.
7110	Willful disregard and violation of building laws.	7117	Acting as a contractor out-of-namestyle.	7159	Failure to comply with contract requirements.
7110.1	Violation of Section 206.5 of the Labor Code.	7117.5	Contracting with inactive license.	7161	False advertising.
7111	Failure to keep records and to make them available to a representative of the registrar.	7118	Failure to prosecute a job with diligence.		
		7120	Failure to pay for materials or services.		
		7121	Prohibition against associating with suspended or revoked licensees.		

## REVOKED JULY-OCTOBER 1977-78

Namestyle	Address	Date	Sections violated
A-I Painting & Decorating Contractors	4608 Dyer St., La Crescenta	10-18-77	7109, 7113
A & A Electrical Company	P.O. Box 24671, Oakland	9-9-77	7107, 7109, 7110, 7113, 7115, 7116, 7119
A Capricorn Builder	24148 Crenshaw, Torrance	7-2-77	7107, 7108, 7113, 7120
Adams, H. F.	4202 Branford Dr., Huntington Beach	10-18-77	7107, 7108, 7109, 7113, 7115 (7018, 7019, 7030, 7159)
Allen, G. D. Enterprises	957 Elm, Orange	8-13-77	7098
Armor Construction Co.	20131 Bedford Canyon Rd., Corona	8-13-77	7107, 7108, 7109, 7113, 7116, 7120, 7159
Australian American Financial Corporation	2150 Roscomare Rd., Bel-Air	9-9-77	7108, 7111, 7115, 7117, 7120
B-D Construction	14600 Golden West 102-C, Westminster	9-13-77	7107, 7110, 7113, 7115, 7117
Babcock, George Plumbing & Builders	1044 Santa Anita St., Burbank	8-17-77	7115, 7119
Banda Pacific	1510 Navarro Dr., Santa Clara	9-9-77	7107, 7113, 7115, 7116
Bernard Construction (Carl W. Bernard dba)	2706 North Pine, Rosemead	7-19-77	7107, 7113, 7115, 7159
Blue Dolphin Pools, (Ken Ross dba)	16665 Mt. Baxter Circle, Fountain Valley	9-22-77	7107, 7109, 7113, 7115, 7120, 7159
Bud's Maintenance & Repair Service (Lyman A. Glenn dba)	445-447 Turk St., San Francisco	9-13-77	7107, 7109, 7110, 7111, 7113
C J's Constructions Co.	1925 Faulkner Place, Oxnard	7-23-77	7107, 7109, 7110, 7113, 7159
Castro, Joe Jr.	615 W. Harvard, Fresno	10-28-77	7109, 7113, 7115 (760, 7030, 7159)
Champion Plumbing	801 Loquat Ct., El Cajon	9-13-77	7107, 7113, 7116
Clay Plumbing & Heating Co.	18627 Parthenia, Northridge	8-9-77	7107, 7111, 7113, 7115, 7159
Clay, WH & Son Plumbing & Heating	18627 Parthenia, Northridge	8-9-77	7108, 7111, 7115, 7117, 7120
Clay, W. H. Plumbing & Heating	18627 Parthenia, Northridge	8-9-77	7098
Constellation Construction Inc.	P.O. Box 1069, Downey	9-13-77	7098
Dice, Murphy Painting Company	2120-Market-St., San Francisco	8-8-77	7109.5
D N A Builders	36 N. Munroe Terr., Dorchester, Ma.	9-13-77	7107, 7109, 7113, 7115, 7120
Dart Residential Air Systems Inc.	730 No. Euclid, Suite 320, Anaheim	10-16-77	7110, 7117(a), 7117.5, 7120
El Real Masonry (Robert Carl Thomas dba)	23480 Park Sorrento, Calabasas	8-13-77	7110, 7113, 7115, 7117(a), 7120, 7159
El Real Masonry	8756 Reseda Blvd., Reseda	8-13-77	490, 7112, 7098
Fizars Co.	1115 Brooklyn Ave., Los Angeles	7-23-77	7107, 7110, 7111, 7113, 7115, 7159
Foreman, Jerry Lloyd	Rt. 1 Box 703A Nord Ave., Chico	9-21-77	7107, 7113, 7115, 7119
Freitas, Clarence W. General Contractor	35417 Morley Place, Fremont	10-16-77	7107, 7109, 7110, 7113
Full Service Concrete Co-E. A. Tapia	13124 Woodcock, Sylmar	8-30-77	7107, 7108, 7109, 7111, 7113, 7115, 7116, 7117(a), 7120
Hardy, Jack B.	19162 Oriente Dr., Yorba Linda	7-12-77	7122.5
Hargrove, Hugh Leon	957 Elm St., Orange	8-13-77	7107, 7113, 7114, 7117(b), 7120, 7121
Hawaiian Landscape	6551 Rennrick Circle	7-27-77	7107, 7109, 7110, 7113
Hill, C. O. Sheet Metal Co.	8244 Varva Ave., Panorama City	9-9-77	7108, 7110, 7111, 7115, 7120
House of Air	10402 Aquilla Pl., Lakeside	8-20-77	7122.5
J. C. Construction	1944 Euclid Ave., El Cajon	10-28-77	7115 (7071.11)
Jakardy Inc.	2601 W. Orangethorpe, Fullerton	7-12-77	7110
Kenney, Larry	P.O. Box 894, Indio	10-26-77	7107, 7109, 7111, 7113, 7115 (7159), 7119
Kitchen Designs Inc.	1121 Border Ave., Corona	10-18-77	7108, 7113, 7120
Krystynak, Edwin L.	5287 University Dr., Santa Barbara	8-12-77	7109, 7110, 7113, 7115, 7159
Le Vasseur, D. E. Const. Co.	4009 Valley Vista Dr., Camino	8-13-77	7107, 7109, 7113, 7119, 7120
McKinney, Eddie	6750 N. Blackstone Ave., Fresno	9-4-77	7115, 7117(a)
Miller, Joe General Contractor	P.O. Box 34, Duarte	8-23-77	7107, 7109, 7113, 7114, 7115, 7117, 7120, 7159
Moore Roofing Company	1150 Arden Way, Sacramento	10-22-77	7107, 7109, 7110, 7113, 7115 (7018, 7019, 7030, 7143, 7159)
Mountain Pacific	9448 Mission Park Place, Santee	8-20-77	7107, 7109, 7113, 7114, 7117, 7119, 7159
Mullins, Dominick P.	1166 Fassler Ave., Pacifica	9-20-77	7107, 7109, 7110, 7113, 7115
Murray, Dale B. Building Contractor	P.O. Box 193, Valley Springs	7-2-77	7107, 7108, 7111, 7113, 7115, 7116
Paradise Awning Co.	5531 Pentz Rd., Paradise	7-2-77	7109, 7110, 7113, 7115, 7116, 7159
Phildon Electric Company Inc.	1323 Lincoln Blvd. #206, Santa Monica	10-30-77	7107, 7109, 7110, 7113, 7115 (7083), 7098, 7121
Placer Enterprises	234 Folsom Rd., Roseville	8-19-77	7110
Presidential Builders Inc.	9529 Artesia Blvd., Bellflower	8-13-77	7107, 7109, 7110, 7113, 7115, 7159
R. A. Cement	11381 Church, Orange	7-23-77	7108, 7110, 7111, 7113, 7120, 7159
Recreation Contractors	695 E. 27th St., Signal Hill	7-23-77	7107, 7109, 7113, 7115, 7120, 7121
Reich, Elmer	7571 Pomegranate Ave., Sacramento	10-18-77	7113, 7116, 7120
Robson Signs	6920 S. Central, Los Angeles	9-20-77	7107, 7113, 7115
Root Heating and Air Conditioning	741 Lake Field, Suite C, Westlake Village	7-23-77	7107, 7109, 7110, 7113, 7115, 7119, 7159
Sanchez, Ben Construction	331 Evergreen Ave., Imperial Beach	7-17-77	7108, 7116
Sealtight Construction Co. (Edward J. Modes dba)	436 E. Bethany Rd., Burbank	9-13-77	7122.5
Sealtight Pools (Sealtight Construction Company dba)	436 E. Bethany Rd., Burbank	9-13-77	7107, 7109, 7110, 7113, 7117(a), 7120, 7159, 7161
Sheets Electric Company Inc.	3162 Rose Ave., San Luis Obispo	7-28-77	490, 7098, 7116, 7123
Sierra Mechanical	P.O. Box 455	10-18-77	7109, 7113, 7115
Southern California Builders	6518 E. Camino Vista Villa-1	8-13-77	7107, 7109, 7113, 7159
Stewart, David Associates	1121 Border Ave., Corona	10-18-77	7121, 7122.5
Thompson, L. R.	2732 Yuma St., Santa Rosa	9-21-77	7107, 7108, 7109, 7110, 7111, 7113, 7115, 7116, 7120
Tomki Aggregates Inc.	P.O. Box 617, 1466 S. Main St., Willis	7-14-77	7107, 7113
Torres, Julian	14905 Sandra St., Mission Hills	7-30-77	7107, 7109, 7113, 7114, 7117(b), 7119
Town and Country Construction Company	10019 Carreta Drive, Lakeside	8-30-77	7107, 7108, 7116
Treichler's Plumbing & Sheet Metal	2295 Quincy Rd., Oroville	8-3-77	7109, 7113
VIP Pools Inc.	1001 W. Olive, Burbank	9-13-77	7109, 7113
Vaillancourt, Francois A.	11 Dolores St., San Francisco	8-8-77	7122.5
Valley Drywall Co.	1921 Florin Rd., Sacramento	10-18-77	7121
Vista Shelter Industries Inc.	P.O. Box 5167, Ventura	7-23-77	7098, 7121
Vista Mobile Home Service	P.O. Box 5167, Ventura	7-23-77	7109, 7113, 7119
Voights Construction Company	1095 Calle Jazmin, Thousand Oaks	8-12-77	7108, 7109, 7110, 7111, 7113, 7115, 7120, 7159
Westwide Electric Inc.	1323 Lincoln Blvd., #206, Santa Monica	10-30-77	490, 7096, 7098, 7112
Wilson, Gene W.	3531 Farquhar Ave., Los Alamitos	7-2-77	7122.5
Wood, Don General Contractor	2124 Lysamder, Simi	7-29-77	7109, 7110, 7113, 7115, 7159

# DENIED JULY-OCTOBER 1977-78

Namestyle	Address	Date	Sections violated
A & F Painting Contractor	623 Iris Ave., Stockton	9-9-77	480(a)(3)
Greenlaw, Gary Miles	P.O. Box 987, Happy Camp	9-28-77	7102, 7144
Parker, Phillip Courtney	12163 West Washington Blvd., Los Angeles	10-30-77	480(a)(3)(c), 7112
Thompson and Son's Roofing	4524 Jones, Riverside	9-9-77	480(a)(3), 7083, 7109, 7113, 7115

# SUSPENDED JULY-OCTOBER 1977-78

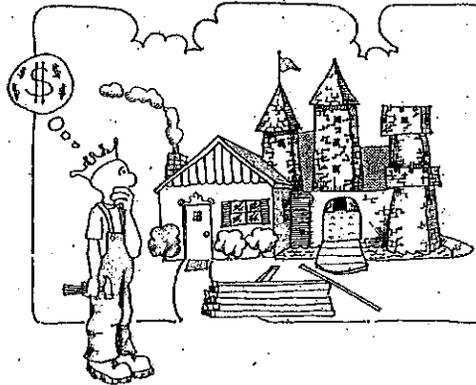
Namestyle	Address	Date	Sections violated
Assured Roofing	4045 Kingsbury Place, Riverside	8-10-77	7109, 7113, 7115 Indef.
Assured Roofing Contractors	P.O. Box 8396, Riverside	8-10-77	7122.5 Indef.
Atlantic Housemovers	P.O. Box 1258, Fremont	9-28-77	7107, 7108, 7113, 7115, 7116 Indef.
Barth, Phil	2649 Lazana, San Juan Capistrano	10-14-77	7107, 7109, 7110, 7113, 7115, 7117(a), 7159 Indef.
Bonander Construction	P.O. Box 29, Groveland	7-23-77	7122.5 30 days
Briere, John Louis	8869 Alcott St., Los Angeles	8-10-77	7109, 7110, 7113, 7115 Indef.
Brown, James P., Sr.	10144 California Ave., South Gate	10-28-77	7071.11, 7108, 7111, 7115 (7028), 7120 90 Days
Byrd, Clovis C. General Contractor	P.O. Box 508, Paradise	8-13-77	7107, 7109, 7113, 7116 30 Days
C. & M. Construction	1122 So. Redwood St., Escondido	8-13-77	7112 90 Days
Cooper, E. F. Ready Mix	P.O. Box 302, Gridley	8-13-77	7109, 7113, 7115 120 Days
Copper Plumbing Co.	P.O. Box 9148, So. Lake Tahoe	8-8-77	7122.5 60 Days
Crandell, Barton	10960 Wilshire Blvd., Ste. 226, Los Angeles	8-13-77	7122.5 30 Days
Crest Forest Service	P.O. Box 74, 261 State Hwy 138, Crestline	9-9-77	7107, 7113, 7115 60 Days
De Lancey, Joseph L.	11811 Louise Ave., Granada Hills	8-13-77	7109, 7113 15 Days
Duran and Malmquist Construction Co.	220 N. Driskill St., Oxnard	10-28-77	7097, 7121 30 Days
Eastern Construction	13692 Lx Pat Place, Westminster	7-14-77	7107, 7108, 7111, 7113, 7115, 7120, 7159 Indef.
Eertwegh, Ted	8669 Muller St., Downey	7-29-77	7109, 7113, 7115, 7159 10 Days
Farley, Ron L.	312 Orient St., Chico	10-28-77	7109, 7113, 7116 90 Days
Giebel, Bill—Builder	64 J St., Chula Vista	7-7-77	7107, 7108, 7109, 7113, 7120 90 Days
Godfrey and Godfrey	501 E. Highland, Sierra Madre	8-10-77	7109, 7113, 7115 Indef.
Grandco Construction Co.	768 Battery St., San Pedro	8-8-77	7097, 7098, 7121 45 Days
Grant, Vencent Incorporated	768 Battery St., San Pedro	8-8-77	7116 45 Days
H B H Builders	3446 Rosemont Dr., Sacramento	7-29-77	7108, 7110, 7111, 7113 180 Days
Heitman Excavating and Engineering	520 Cooper Ave., Yuba City	8-13-77	7122.5 45 Days
Hernandez, Pedro Construction Co.	2879 Oleander Ave., Merced	7-14-77	7109, 7110, 7113, 7115 Indef.
Inland Plumbing Heating & Air Conditioning	859 Inland Center Dr., San Bernardino	9-28-77	7107, 7109, 7110, 7113, 7116 Indef.
J & L Termite & Construction Co. Jerry Lee Griffith	1851 W. Winton Ave., Hayward	10-14-77	7107, 7108, 7111, 7113, 7115 (7159), 7119 Indef.
J C J Construction Co. Inc.	441 S. Dearing #E, Fresno	7-23-77	7108, 7120 30 Days
J K Enterprises	3235 California Ave., Carmichael	8-8-77	7097 30 Days
Jennings Landscape Construction Co.	4846 Allied Rd., San Diego	9-28-77	7097, 7122.5 Indef.
Jennings Landscape Construction Co.	4846 Allied Rd., San Diego	9-28-77	7110, 7111, 7113, 7120, 7121 Indef.
Madison, Ray Construction	1434 Roselli Dr., Livermore	9-9-77	7109, 7110, 7113, 7115, 7159 45 Days
Malmquist Construction	1336 Alessandro, Newbury Park	10-28-77	7109, 7113, 7115 (7159) 30 Days
McClellan, R. W. and Sons Inc.	2031 S. Anne St., Santa Ana	7-14-77	7109, 7113 6 mos.
McKinney, Billy	12722 Burgess, La Mirada	8-13-77	7121, 7122.5 30 Days
Melton, Floyd	13099 1/2 Carl St., Pacoima	7-14-77	7028, 7107, 7110, 7115, 7159 Indef.
MG Plaster & Drywall	P.O. Box 20317, El Cajon	10-4-77	7107, 7113, 7159 Indef.
Moore, Don Francis	217 2nd Ave., Chula Vista	9-24-77	7109, 7113, 7159 Indef.
Olympia Drywall Company (Spence Bros. Inc. dba)	5743 S. Front Road, Livermore	8-13-77	7109, 7113 15 Days
Owen, Paul J.	1716 Opechee Way, Glendale	9-9-77	7122.5 15 Days
Owen, Paul J. Roofing Corp.	10817 Sutter Ave., Pacoima	9-9-77	7109, 7113, 7115 15 Days
Parks Construction Co.	36-848 Ferber Dr., Rancho Mirage	8-13-77	7109, 7110, 7113, 7115, 7159 30 Days
Pedersen, Jens	2938 W. 95th St., Inglewood	9-9-77	7122.5 60 Days
Petersen & Son	1375 Buena Vista Dr., Palm Springs	8-15-77	7107, 7113, 7116, 7118 10 Days
Peterson, C. Norman Co. Contr A Div of Dillingham Corp.	2430 W. 3rd St., Los Angeles	9-9-77	7122.5 1 Day
Preston, Larry R. General Building Contractor	5929 Hazel Ave., Orangevale	9-28-77	7109, 7110, 7113, 7159 Indef.
Price, Allen Charles	64 Lucky Drive, Greenbrae	9-30-77	7107, 7109, 7110, 7113, 7115 (760, 7018, 7019, 7030, 7030.5, 7159) Indef.
Remodeling Center, The	5907 Melrose Ave., Los Angeles	8-5-77	7109, 7121, 7159 20 Days
Rothschild, Jon	12056 Laurel Terrace Dr., North Hollywood	7-14-77	7108, 7111, 7120 Indef.
Ryan, Dennis	832 Milberry, Brea	7-14-77	7107, 7113, 7159 Indef.
S C R Const. Co. Inc.	3960 Wilshire Blvd. Ste. 406, Los Angeles	8-5-77	7097 20 Days
Showense Pools (Joseph J. Dias dba)	1312 N. Palm St., La Habra	8-10-77	7107, 7113, 7120 Indef.
Smith, Lowell H.	5859 El Zuparko Dr. #4, San Jose	9-9-77	7109, 7113 10 Days
Smith Stan Construction Company	2038 Glenrose Dr., Redding	9-4-77	7108, 7110, 7115, 7117(a), 7118 90 Days
Specialty Excavating (James Randel dba)	15234 Las Flores, La Mirada	7-21-77	7109, 7116, 7159 180 Days
Specialty Excavating (James Randel dba)	15234 Las Flores, La Mirada	7-21-77	7109, 7110, 7113, 7159 180 Days
Thomas Construction	P.O. Box 166, Shingletown	10-28-77	7115 (7028) 30 Days
Total Services Company	32 W. Vale St., Pasadena	8-13-77	7107, 7108, 7113, 7115 60 Days
Triple A Construction Co.	P.O. Box 9148, So. Lake Tahoe	8-8-77	7109, 7113, 7117(b) 60 Days
United Covercoat Painting & Decorating	835 Hyde St., San Francisco	10-4-77	7109, 7113, 7115 (7018, 7019, 7030, 7159) Indef.
W W Construction Co.	P.O. Box 9148, So. Lake Tahoe	8-8-77	7122.5 60 Days
Waldron, Barry L.	17622 Cameron #24, Huntington Beach	7-14-77	7109, 7113, 7115 Indef.
Walt's Air Conditioning & Heating	1878 Catalpa St., Anaheim	10-16-77	7122.5 180 Days
Zofnas, S. Painting Co.	3864 Hartung Ct., Newbury	9-28-77	7109, 7110, 7113, 7115, 7159 Indef.

## OWNER-BUILDERS AND THE LAW

There is great confusion and misunderstanding by licensed contractors as well as by the public relative to the "ownerbuilder." Over a period of many years, there has been a misconception in their minds that persons may construct on their property one, two, three, and even four houses a year, without concern for any requirements, even though not properly licensed as a contractor.

The California Legislature over the years since 1929 when the Contractors' License Law was first enacted, has given much thought and consideration in developing the law as we know it today. One might say, and there are many who agree, that the Contractors' License Law is much too complicated. But even though the law may be far from perfect, it has done an excellent job over the years in accomplishing what it was created to do, and that is to protect the health, safety, and general welfare of all those people dealing with persons engaged in the building contracting vocation, and affording to the public effective and practical protection against incompetent, inexperienced, unlawful and fraudulent acts of building contractors with whom they may contract.

In an attempt to accomplish this purpose, the Legislature defined the term "contractor" in Sections 7026, 7026.1, 7026.3, 7026.4 and 7058 of the Contractors' License Law. It would be difficult to have any control over, or to regulate the contractor without some kind of penalty to cause the builder to obtain a contractor's license. This was done by making it a criminal act for any person to engage in the business, or to act in the capacity of a contractor without a license. Further, the Legislature made it virtually impossible for a builder to collect compensation through the courts of California for the performance of any work requiring a contractor's license unless that person can prove that he or she



'For Sale Only after one year'

was duly licensed at all times during the performance of the project for which compensation is sought.

### EXEMPTIONS

The Legislature realized there are many instances wherein a person may accomplish something that falls within the definition of acting as a contractor, but which is really for the person's own personal benefit, so it provided for several exemptions to the requirement of a contractor's license. These exemptions have grown from only four or five in the beginning until there are now thirteen. One of the first exemptions provided under Section 7044 of the Contractors' License Law was for owners making improvements to their own property. This, on the face of it, seems simple enough, but there are conditions to the exemption, and this is where the problems begin.

It appeared to the Legislature that owners of property should be free to make improvements *only* for their own personal

use. Hence the provision in Section 7044 that should there be a sale within one year of completion, the owner is presumed to have improved the property for the purpose of sale. To improve the property with the idea of selling it soon after completion is not to improve it for the purpose of personal use.

Improvement of property is not just limited to building a house. It includes any appurtenances, additions, remodeling, etc. to the main building. In speaking of owners being free to improve their property, but not planning to sell it, it is of course assumed that they are doing at least a portion of the work themselves, or through employees to whom they pay wages.

There is, however, a condition allowing owners of property to have their property improved for sale without requiring them to be licensed. If they contract with a *licensed* general contractor to do the entire project, owners are not required to have a contractor's license. The same condition applies if they act as their own general contractor and contract the entire project to other *properly licensed* contractors.

The theory behind this condition is that as long as the work of the entire project is done by licensed contractors, the public is adequately protected. This is so because the law allows the Registrar to take action against any of the licensed contractors doing the work for owners even though no action can be taken against the owners.

Section 7044, in providing an exemption to owners, is silent regarding the type or number of buildings that can be built in this manner. Because the section is silent in this regard, it is interpreted that owners can build any type of building, houses, or commercial, and any number. What must be remembered is that the work may not be done by owners or their paid employees for the purpose of sale.

STATE OF CALIFORNIA  
DEPARTMENT OF  
**Consumer  
Affairs**

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