



THE CALIFORNIA LICENSED CONTRACTOR

EDMUND G. BROWN JR., Governor

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RICHARD B. SPOHN, Director

Buyers Right to Cancel Home Solicitation Contract

A recent Appellate Court case has clarified the term "Home Solicitation Contract" as it is used in the Civil Code—Notice of Right to Cancel provisions. Home improvement contractors who have grown careless about complying with this law or who have not bothered to comply should take particular notice of the judgment of the court in this case. The consequences of not complying with the Notice to Cancel provisions can be quite severe. The case, *Weatherall Aluminum Products Co. vs Robert Scott, et al.*, involves the interpretation of the scope and meaning of the term "home solicitation contract" as provided in Section 1689.5 of the Civil Code.

The facts of the case simply stated are these: Robert Scott et al. (Scotts) obtained Weatherall Aluminum Products Co.'s (Weatherall) name and telephone number from the yellow pages of the telephone directory. Scotts telephoned Weatherall who sent a representative to their home on February 5, 1974. The representative showed Scotts a sample of an insulated wall system. An agreement was reached between Scotts and Weatherall's representative for the installation of such a system in Scotts' home. Scotts signed a contract at their residence and gave Weatherall's representative a \$100 deposit leaving a balance due of \$1,650. The written contract did not contain a notice of the buyer's right to cancel as required by Section 1689.7 of the Civil Code.

Weatherall installed the wall system on February 20, 1974. Scotts were dissatisfied with the work and failed to pay the balance due. Weatherall brought suit on March 26, 1975. On May 12, 1975, after consulting counsel, Scotts mailed a written notice of cancellation to Weatherall. On May 14, 1975 Scotts answered Weatherall's complaint and filed a cross complaint. Scotts moved for summary judgment (a judgment after short and simple proceedings) on the basis of their having

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Mechanics Lien Preliminary Notice

In 1976 the Legislature passed two bills which amend Section 3097 of the Civil Code, the preliminary 20 day notice law on private construction. The first bill passed was Senate Bill 1379 authored by Senator John F. Dunlap. The second bill passed was Assembly Bill 4092 authored by Assemblyman Kenneth L. Maddy.

Senate Bill 1379 deletes the statement that if bills are not paid in full for labor, service, equipment or material furnished, or to be furnished, the improved property may be subject to mechanic's liens. In place of the deleted statement the following "Notice to Property Owner" must appear.

"Notice To Property Owner"

If bills are not paid in full for the labor, services, equipment, or materials furnished or to be furnished, a mechanic's lien leading to the loss, through court foreclosure proceedings, of all or part of your property being so improved may be placed against the property even though you have paid your contractor in full. You may wish to protect yourself against this consequence by (1) requiring your contractor to furnish a signed release by the person or firm giving you this notice before making payment to your contractor or (2) any other method or device which is appropriate under the circumstances.

Senate Bill 1379 was filed with the Secretary of State on July 9, 1976 and as of that date became Chapter 396 of the 1976 Statutes. Special provisions in the bill specified that the amendments were to become effective on January 1, 1978.

When introduced, Assembly Bill 4092 amended the last paragraph of Section 3097. This amendment deleted the requirement that the original contractor make available a copy of his contract with the property owner to any person seeking to serve the preliminary notice and substituted the requirement that the original contractor make

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Contracts With Nonlicensed Contractors

Section 7118 of the Contractors License Law provides that any contractor who enters into a contract with an unlicensed contractor is subject to disciplinary action by the Registrar of Contractors. Prior to January 1, 1976, the Registrar had to prove that the licensed contractor knew that the contractor he contracted with was not licensed. The 1975 Legislature changed this by putting the burden upon the licensed contractor to find out if the person he contracts with is licensed.

When a general or prime contractor subcontracts with a person to perform as a contractor he should be very certain that the person is licensed to so perform. It should not be too difficult to get information that a prospective subcontractor is licensed. If the prime contractor subcontracts in writing, the subcontractor should include his license number on the subcontract agreement. This is required by Section 7030.5 of the Contractors License Law. If the subcontract is oral, ask the subcontractor to show you his current pocket license. If there still is a question call the nearest office of the Board and request a check of the Directory of Licensed Contractors.

It seems that the unlicensed contractor problem is a major concern of licensed contractors yet this Agency receives information periodically regarding licensed contractors using nonlicensees as subcontractors. Licensed contractors, of all people, should make every effort possible to eliminate the nonlicensee by refusing to assist him in continuing as such.

Reports have been received that general building contractors sometime will contract with carpenters to frame houses at a specified amount to eliminate the payroll taxes required to be paid on employees. In situations such as these the carpenters who are not licensed are subject to prosecution for contracting without a license and the licensed contractor is subject to disciplinary action for contracting with

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Buyers Right to Cancel Home Solicitation Contract

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canceled the contract. The municipal court granted Scotts' motion for summary judgment.

This case is an appeal from the municipal court's summary judgment.

The Court of Appeal reasoned that if the contract was a home solicitation contract within the meaning of Civil Code Section 1689.5, then the notification required by Section 1689.7 subdivisions (a) and (c) (notice of right to cancel) not having been given, Scotts retained a right to cancel (Civil Code Section 1689.7 subdivision (c)).

In the appeal Weatherall contended that the initial solicitation for the contract came from the Scotts, so it was not a home solicitation contract. The Court in considering this contention started with the language of the statute. The home solicitation contract as defined in Civil Code Section 1689.5 means a contract made at other than appropriate trade premises in an amount of twenty-five dollars or more. Appropriate trade premises means premises at which the seller normally carries on business or where goods are normally offered or exposed for sale. Thus, the court stated that the phrase "home solicitation" focuses not on who initiated the contract between the buyer and seller, but on where the contract was made. Further, it is immaterial whether Weatherall maintains "appropriate trade premises" if the contract was not made at those premises.

The Court reasoned that the Legislature enacted the statute to protect consumers against pressures that can arise when a salesman appears at a buyer's home. An equally serious pressure arises even when the buyer invites the seller to his home from the fact the seller may be an intimidating presence once inside a buyer's home. A reluctant buyer can easily walk away from a seller's place of business, but he cannot walk away from his own home. He may find the only practical way to get the seller to leave is to agree to buy what the seller is selling.

The Appeals Court stated that the mere fact that the seller appears at the buyer's home in response to a phone call from the buyer is insufficient to remove the contract from the provisions of the statute. Further, Weatherall had not demanded return of the goods delivered to Scotts within 20 days after cancellation of the contract so the goods became the property of Scotts without obligation to pay for them. Nor are Scotts obliged to pay for services performed by Weatherall prior to

cancellation. Thus, Scotts were entitled to the summary judgment. The Court explained that if the results of the case appeared to deal harshly with merchants who have fully performed under their contracts, it seemed clear to it that the Legislature has attempted to convey through the "right to cancel" law that the merchant should beware. Merchants can easily and inexpensively protect themselves merely by including a right to cancel provision and an accompanying notice of cancellation as a matter of course in all contracts signed outside their trade premises.

The Court affirmed the order granting summary judgment by the lower court.

Home improvement contractors should not confuse the provisions of the Civil Code sections dealing with home solicitation contracts with provisions of the Contractors License Law dealing with the requirement of home improvement salesmen to be registered. These are two entirely different subjects covered by two different Codes.

The "home improvement salesman" is defined in Section 7152 of the Contractors License Law as a person employed by a licensed contractor to solicit, sell, negotiate or execute home improvement contracts under which home improvements may be performed by the contractor. The section excuses certain people from this requirement and also certain people performing the sales act under special prescribed conditions. These conditions are:

(a) salespersons whose sales are made after negotiations have been made at the contractor's place of business prior to the actual consummation of the agreement; and

(b) salespersons whose sales are made after negotiations when the prospective buyer has initiated the contact at or to the contractor's place of business.

It is quite possible that there could be many times in which a salesperson not required to be registered as a home improvement salesman would be required on behalf of the contractor to furnish the right to cancel notice and the duplicate forms required by Civil Code Section 1689.7.

The *Weatherall vs Scotts* case is very specific that any contract for the sale of goods or services or both which is made at other than appropriate trade premises in an amount of \$25 or more shall contain on the first page a right to cancel notice and shall be accompanied by a completed form in duplicate which can be used by the buyer for use to cancel the agreement. It would appear that this applies even when a portion of the negotiation is performed at the appropriate trade premises so long as part of the negotiation is performed elsewhere.

Mechanics Lien Preliminary Notice

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available the name and address of residence of the owner to any person seeking to serve the preliminary notice.

Assembly Bill 4092 was still pending when Senate Bill 1379 was chaptered. In order not to lose the effect of Senate bill 1379 through a process of "chaptering out" a previously chaptered bill covering the same section, provisions were amended into Assembly Bill 4092 to amend Chapter 396 of the Statutes of 1976 to conform it to the changes sought by Assembly Bill 4092. The result of all this was that Assembly Bill 4092 took over from Senate Bill 1379. Assembly Bill 4092 as signed into law amended Section 3097 effective January 1, 1977 and changed only the requirement regarding information the original contractor must give any person seeking to serve the preliminary 20 day notice. On January 1, 1978, the second version of Section 3097 took over and included the amendment which became effective on January 1, 1977 and the notice originally required by Senate Bill 1379.

The new notice requirement was put off until January 1, 1978 to allow for the use of as many of the existing printed forms as possible. This change in the preliminary 20 day notice form is the first since the mechanic's lien law was changed over from the Code of Civil Procedure to the Civil Code in 1971.

This is a reminder to all contractors that they must now comply with the new requirement by including the "Notice To Property Owner" on all Preliminary 20 day notices which they serve.

DIRECTORY OF CONTRACTORS

The 1977-79 Official Directory of Licensed Contractors published by the Registrar of Contractors has just recently been received from the California Office of State Printing.

A limited number of these directories are published in each biennial renewal period. The number of copies printed is based upon the number of orders received, the number of the previous edition sold and the number needed for use by this Agency. There were 2400 of the 1977-79 issue printed.

The price of the directory is \$23.00 which includes \$1.30 sales tax. It is mailed from headquarters office post paid by the Agency. This price includes all supplements which are published quarterly beginning January 1, 1978.

The directory includes a listing of all active and inactive licenses which were renewed timely by June 30, 1977, all active and inactive licenses renewed delinquent between July 1, 1977 and

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Contracts With Nonlicensed Contractors

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unlicensed contractors.

The licensee who contracts with unlicensed contractors might feel that the money he saves by not paying payroll taxes is worth the gamble of his getting or not getting caught. This is really not so since the bond required to reinstate a suspended or revoked license is relatively expensive. The time lost and cost of counsel at a disciplinary hearing adds to the cost. Add to this the loss of profits for the time that the licensee must refrain from contracting and you have a pretty sizable cost.

In the last issue of this bulletin it was pointed out that the Registrar in cooperation with the Department of Benefit Payments and the Department of Industrial Relations had initiated a pilot program in Santa Clara County for a more complete enforcement of the Unemployment Insurance Code and the Labor Code.

Under Section 7110 of the Contractors License Law the willful or deliberate disregard and violation of the building laws of the state, or any political subdivision thereof, or of the safety laws or labor laws or compensation insurance laws or Unemployment Insurance Code of the state constitutes a cause for disciplinary action. Because of Section 7110 the Registrar is vitally concerned with the enforcement programs of the two departments.

The pilot program, which has been expanded statewide, is a cooperative effort of the Registrar and the two departments to exchange information which is of mutual concern. In exchanging information representatives of the other departments will continue to inform the Registrar of apparent violations of the Contractors License Law and in turn the Registrar will inform the other departments of apparent violations of the Unemployment Insurance Code, the Safety Code, the Compensation Insurance Code, and the failure of contractors to pay wages and fringe benefits.

Under this cooperative program representatives of the Department of Benefit Payments will inform the Registrar of instances in which they are told by a contractor that persons normally considered employees are independent contractors. The Registrar will then conduct an investigation to determine if a violation of contracting with persons who are not licensed exist.

It is important to remember, as a contractor, to be sure to contract with licensed subcontractors.

1978 LEGISLATION

Several bills that we have been reporting on which were introduced during the 1977 portion of the 1977-78 Legislature are being carried over into 1978. Undoubtedly many more bills of interest to our readers will be introduced during coming months. These will be reported in coming issues.

The following is a status report of those bills which were reported on as still pending in the Fall-Winter 1977 issue:

ASSEMBLY BILL 504 by Thurman. This bill which would have raised the contractor's bond and the R. M. E. bond from \$2,500 to \$5,000 and would have raised the exemption for minor work from \$100 to \$500 was referred to interim study during last year's session. (Effective January 1, 1978 the exemption for minor work was raised to \$200 by AB 1607, Chapter 416, 1977.) No action has been taken on the bill, so for all intent and purposes the bill is dead. It will take another bill if proponents for an increase in bonds desire to pursue it further.

ASSEMBLY BILL 562 by Thurman as amended on June 20, 1977 would have prohibited the Board from waiving the examination for an original license merely because the examinee has been a member of the personnel of a licensee actively engaged in the actual construction phase of the licensee's contracting business. The bill would have allowed waiver of examination under other circumstances and conditions. This bill in effect would have eliminated the Board's rule 775 which allows the Registrar to waive the examination for an applicant for an original license who has been a member of the personnel of the licensee actively engaged in the construction phase of the licensee's contracting business for a period of four years within the preceding six year period. The bill still allowed the board to waive an examination if the examinee has previously taken and passed the examination and if the applicant is an immediate member of the family of a deceased licensee. This bill failed to clear the Ways and Means Committee and is now dead.

ASSEMBLY BILL 564 by Thurman. This bill would amend the owner-builder exemption. It would require an owner-builder developer to contract construction of the development project to a single contractor. This means the unlicensed developer would no longer be able to act as his own general contractor and contract with each of the specialty contractors required to complete the project. Owners of residences would be exempt under the proposed law to build or improve structures which contain no more than

two residential units so long as the residential structure is not offered for sale or sold within one year of completion. This bill has been passed by the Assembly and is now in the Senate.

ASSEMBLY BILL 1963 by Dixon. This bill as originally introduced would have prohibited anyone from charging legal fees against any bond or cash deposit required as a condition for a license as a contractor. The bill was amended to delete the original intent and instead added the provision that an abandonment of a project is cause for disciplinary action if the licensee has the capacity to complete the construction project. This bill has been passed by the Assembly and is now in the Senate.

ASSEMBLY BILL 1976 by Imbrecht. This bill would have amended Section 7057 of the Contractors License law which defines the general building contractor. The bill was extensively amended since the last report. It essentially would have limited the general building contractor from performing electrical, plumbing and heating and air conditioning work himself or through his employees on general building projects except on projects consisting of single family residences or home improvements.

The general building contractor would either have to subcontract the three trades to licensed specialty contractors or obtain supplemental classifications in any or all of the three trades he desired to perform the work himself or through his employees. The bill did not get through the Labor, Employment and Consumer Affairs Committee and so is dead.

ASSEMBLY BILL 2013 by Torres would have provided for the licensing of journeymen equipment operators, gasfitter, plumbers and electricians by the Department of Consumer Affairs. This bill was dropped by its author and is now dead.

ASSEMBLY BILL 2014 by Knox. This bill would exempt from the contractor license requirement those persons who restore marshes, or wetlands by seeding and installing plants when no grading or movement of soil is involved. This bill has been passed by the Assembly and is now in the Senate.

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ASSEMBLY BILL 2060 by Lehman. This bill would require electrical sign contractors who hold a C-45 classification to display on each side of their motor vehicles used in their electrical sign business; their names, business addresses and contractor's license numbers in letters not less than 1½ inches high. This bill has been passed by the Assembly and is now in the Senate.

SENATE BILLS 632, 633, 634, and 635 by Dills which were referred to as the subcontractor's bills of rights were retained in the Senate Governmental Organization Committee. The subject matter is to be referred to the Rules Committee for further study. These bills are dead for the session.

SENATE BILL 1245 by Rains which would have amended the definition of a general building contractor and which as introduced was similar to AB 1976 was dropped by its author.

At this point it appears that the only 1977 bills which we have been reporting which will continue on into the legislative process are: AB 564, AB 1963, AB 2014 and AB 2060.

DIRECTORY OF CONTRACTORS

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September 12, 1977 and all active licenses issued between July 1, 1977 and September 12, 1977.

This issue of the directory has 166 pages more than the 1975-77 directory or approximately 24% more licenses listed.

The directory graphically illustrates the tremendous growth of licenses over the last few years since it is at least a quarter of an inch thicker than the preceding issue.

To further illustrate the growth being experienced in the number of licensees, on July 1, 1975, there were 90,778 active and inactive licenses renewed, by January 1, 1976 there were 98,706 licenses on record (a growth of 7,928 licenses), on July 1, 1977 there were 109,606 active and inactive licenses renewed, and by January 1, 1978 there were 120,306 licenses on record (a growth of 10,700 licenses).

If applications for licenses continue to be received and licenses issued at the same rate as experienced in the first six months of this license period, there will be more than 150,000 active and inactive licensed contractors in the State of California by June 30, 1979.

SOLAR ENERGY TAX CREDIT

An announcement is being circulated by the California Energy Resources Conservation and Development Commission regarding recent legislation which makes a tax credit possible to property owners against the cost of the purchasing and installation of solar energy systems. Contractors interested in the field of solar energy may want to pass this information on to the property owners who are potential purchasers of solar energy systems. The Commission would like to get the information regarding the tax credit to as many people as possible and it is encouraging people to take advantage of the tax credit.

The following is the announcement by the Commission:

California Solar Tax Credit
California now has the country's largest financial incentive for installation of solar energy systems, thanks to legislation signed by Governor Brown in late September.

Here are the basic provisions of the law, authored by Assemblyman Gary Hart: A state income tax credit of 55% or \$3,000, whichever is less, will be given for the cost of purchasing and installing solar energy systems. For installations in buildings other than single family dwellings, where the system cost exceeds \$6,000, a tax credit of 25% or \$3,000 is allowed, whichever is greater. It also applies to solar pool and water heaters, active and passive space conditioning systems, and solar-related conservation measures.

A tax credit is subtracted from the total amount of tax owed . . . it is not a deduction used in computing taxes.

To receive the credit the taxpayer must own the property at the time the solar system is installed. It applies to systems installed between January 1977 and December 1980. The tax credit must be taken in the year the system is installed. If the credit exceeds that year's total tax, the balance of the credit will be carried forward until the full amount is received.

If any federal income tax credit for solar devices is given, the maximum amount of combined federal and state credit granted cannot exceed that allowed by the state. The federal credit must be used first, then the state credit added to fulfill the eligible total.

The State Energy Commission will establish guidelines defining eligible active and passive solar systems and solar-related conservation measures by January 1, 1978. It is anticipated that warranties and eventually certification

of all active solar systems will be required. Certification will be completed through an Energy Commission testing and inspection program. Interim approval of active solar systems will be granted based on the guidelines until all solar products in California have had the opportunity to be certified.

Any questions regarding the guidelines can be sent to:

California Energy Resources Conservation & Development Commission, 1111 Howe Avenue, Sacramento, California 95825.

Forms for obtaining the state tax credit will be available from the:

Franchise Tax Board, P.O. Box 1468, Sacramento, California 95807.

Experience Records Investigated

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License for misrepresentations in regard to the listing of experience by applicants.

Investigations will include an inquiry into the truthfulness of each of the experience certificates completed by contractors and/or others as well as the accuracy of the experience as listed by the applicant.

An applicant who is found to have made material misrepresentations regarding his experience on the application will be subject to the denial of a license through an administrative hearing. Contractors completing experience certificates with material misrepresentations for applicants will be subject to disciplinary action.

Home Improvement Salesmen

Article 10 of the Contractors License Law provides for the registration of home improvement salesmen by the Contractors' State License Board.

Under this law a home improvement salesman is defined as a person who is employed by a license contractor to solicit, sell, negotiate or execute home improvement contracts under which home improvements may be performed by the home improvement contractor.

Present provisions of the law allows a person to be engaged in the occupation of salesman for one or more home improvement contractors at the same time.

When a person is issued a registration by the Registrar of Contractors, he or she is issued a number which contains a two-letter prefix. The numerical portion of the number stays with the person regardless of the number of registrations issued to him or her. The two-letter prefix will vary as it is

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REVOKED 3rd QUARTER 1976-77

Namestyle	Address	Date	Sections violated
Al Roofing & Siding Co.	P.O. Box 612, Baldwin Park	2-7-77	7109, 7110, 7113, 7115
All State Paving Co.	5733 No. Santa Fe, Fresno	2-24-77	7109, 7113, 7115
B & L Construction Co.	5744 Lankershim Blvd., No. Hollywood	1-26-77	7108, 7111, 7113, 7115, 7120, 7159
B & Q Drywall Co.	3520 Emma Ave., Los Angeles	3-2-77	7098, 7121
Baber, William S.	1821 Andrews Ave., San Jose	1-24-77	7122.5
Barrett, W. G.	6536 Belle Glade Ave., San Diego	1-23-77	7107, 7109, 7113, 7115, 7119
Better Builders (Ralph Rivers dba)	351 Skyline Dr., Vista	3-24-77	7107, 7109, 7113
Blue Champagne Pools	4457 Van Nuys Blvd., Sherman Oaks	2-28-77	7121, 7122.5
Blue Champagne Pools (Blue Champagne Pools of San Jose Inc. dba)	4459 Van Nuys Blvd., Sherman Oaks	2-28-77	7098, 7107, 7109, 7113, 7116
Blue Champagne Pools (Blue Champagne Pools of Sherman Oaks Inc. dba)	4457 Van Nuys Blvd., Sherman Oaks	2-28-77	7098
Blue Champagne Pools (Blue Champagne Pools of West Covina Inc. dba)	6551 Gazette Ave., Canoga Park	2-28-77	7098
Blue Champagne Pools Inc.	4459 Van Nuys Blvd., Sherman Oaks	2-28-77	7107, 7109, 7113, 7116
Blue Champagne Pools of Santa Ana Inc.	1638 East 17th St., Santa Ana	2-28-77	7098
Bohn Drywall	P.O. Box 1345, Ontario	3-2-77	7113, 7120
Bros. Roofing Co.	18414 Section Center St., Covina	1-7-77	7109, 7113, 7121
Building Associates Inc.	P.O. Box 1780 B, Garden Grove	2-20-77	7098
Cavasso, Edouard J.	P.O. Box 40, Alturas	2-7-77	7107, 7108, 7109, 7110, 7113, 7116, 7117, 7120
Central Air Conditioning Center	1900 Tyler Ave., #14, So. El Monte	1-13-77	7109, 7110, 7113, 7115, 7120
Crossroads Enterprises Inc.	25372 Bentley Lane, Laguna Hills	2-14-77	7110, 7113
D and E Construction Inc.	5016 Black Ave., Pleasanton	2-4-77	7107, 7108, 7111, 7113, 7115, 7120
Decio, Ronald J.	3070 17th St., San Francisco	2-11-77	7116, 7123
Decker, Ralph E.	4409 Baron Ave., Sacto.	1-2-77	7112, 7161
Desert Valley Mobile Homes (Dobre Inc. dba)	70075 Dillon Road, Desert Hot Springs	2-20-77	7107, 7108, 7111, 7113
Designed Pools Inc.	17802 Irvine Blvd., Tustin	3-19-77	7107, 7113, 7159
Dial Construction	P.O. Box 341, Susanville	2-18-77	7107, 7108, 7109, 7110, 7112, 7113, 7116, 7120
Didier, Paul A.	1303 No. Poinsettia Pl., West Hollywood	1-27-77	7107, 7109, 7113
Didier, Paul A.	1303 No. Poinsettia Pl., West Hollywood	1-27-77	7107, 7109, 7113, 7119
Dorman Bros.	2458 Hamner Ave., Norco	1-23-77	7107, 7110, 7113
Doug's Remodeling Service Inc.	12218 Vanowen St., No. Hollywood	1-27-77	7107, 7108, 7111, 7113, 7115, 7120
Etchison Well Drilling	P.O. Box 223, Gazelle	2-25-77	7107, 7113, 7115
Evans, James E.	1100 Cambridge Ln., Newport Beach	3-3-77	7113, 7115, 7120
Faires Electric Company (John D. Faires dba)	2055 Sacto., Apt 901, San Francisco	3-23-77	7108, 7113, 7115, 7116
Ford Remodeling Incorporated	2820 Auburn Blvd., Sacto.	1-2-77	7112
G V R Inc.	6248 121st S. E., Bellevue, Wash.	3-15-77	7107, 7113
George Electric	7600 El Camino Real, Atascadero	1-16-77	7115, 7120
Gonzalez, Ronald-Aristeo John Palas	661 Clintwood Ave., La Puente	1-12-77	7107, 7108, 7113, 7115, 7116
Gonzalez, Ronald-Aristeo John Palas	661 Clintwood Ave., La Puente	2-24-77	7107, 7109, 7113, 7159
Gonzalez, Ronald-Aristeo John Palas	661 Clintwood Ave., La Puente	3-18-77	7107, 7108, 7116
Grimm, David L.	5831 Dunrobin, Lakewood	1-26-77	7107, 7113, 7116, 7120
Hernandez, Victor "Vic" Mobile Home Repair	1137 Los Robles Blvd., Sacto.	2-13-77	7109, 7113, 7115, 7119, 7159
Hollywood Roof Company	1001 Glendale Blvd., Los Angeles	1-7-77	7098
Hydro Pools Inc.	336 E. Gish Road, San Jose	2-28-77	7107, 7108, 7113, 7115, 7120
Jones Construction Company	3029 Humboldt, Oakland	2-4-77	7109, 7110, 7113, 7115
Jones Roofing Co. Inc.	1494 North Clark St., Fresno	3-31-77	7098
L. W. A. Corporation	7652 Slater Ave., Huntington Beach	2-14-77	7110
Lancaster Air Conditioning & Sheet Metal Inc.	44666 Yuca Ave., Lancaster	2-6-77	7107, 7109, 7113, 7115, 7159
Land Excavation	1651 E. Edinger Rd., Santa Ana	3-17-77	7115, 7120
Leath Construction Co.	11931 Rocooso Rd., Lakeside	1-3-77	7071, 711, 7107, 7111, 7113
Living Systems Inc.	1714 N. Ivar, Los Angeles	3-15-77	490, 7112
Lucky Lake Mobile Home Sales (Gulick Incorporated dba)	Rt. 4 Box 630-L, Chico	1-4-77	7108, 7113, 7115, 7116, 7120
Miller, Jack T.	2233 Hacienda Blvd., La Habra	2-28-77	7109, 7111, 7113, 7116, 7120, 7159
Myers, Robert General Construction	10217 Amestoy, Northridge	1-6-77	7109, 7115, 7120
Nelson, Charles E.	P.O. Box 3337, Redding	2-24-77	7107, 7109, 7113, 7115, 7116, 7119, 7120, 7159
Pacific Roof Coatings	15075 Chelsea Dr., San Jose	2-20-77	7109, 7115, 7116
Patio Builders Association, A California Corporation	8183 Center St., La Mesa	2-4-77	7109, 7110, 7113
People of America Trade School	P.O. Box 444, Loomis	1-11-77	7107, 7109, 7110, 7113, 7115, 7116, 7119, 7120
Phil's Carpet Service	1801 Eastshore Dr., Berkeley	3-1-77	7098
Pine Mountain Development, A California Corporation	P.O. Box 253, Magalia	3-15-77	7109, 7110, 7113, 7115
R A M Construction Company	3017 Madeline, Oakland	2-11-77	7107, 7108, 7113, 7115, 7116, 7120
Rains, Robert Inc.	P.O. Box 82, Fairfield	1-5-77	7109, 7110, 7113, 7115
Redlich, Eddie	7653 Mary Ellen Ave., No. Hollywood	1-25-77	7122
Reliable Demolition Company (Joe Williams dba)	1256 W. Manchester Ave., Los Angeles	2-13-77	7111, 7113, 7115, 7120
Roommakers, The	31162 San Clemente St., Hayward	3-14-77	7107, 7108, 7109, 7113, 7115, 7120
Royal Pools of Covina Inc.	11933 Vose St., No. Hollywood	1-14-77	7108, 7113, 7120
Sierra Const. & Remodeling Co.	1056 Calle Dr. La Luna #7, Azusa	1-16-77	7107, 7113
Sierra Tahoe Homes	1585 The Alameda, San Jose	2-7-77	7107, 7113, 7115, 7116, 7117, 7119, 7120
Smith, C. & James Construction Corporation	28570 Marguerite Pkwy., #211, Mission Viejo	3-2-77	7122.5
Smith, Clifford L.	24581 Via San Fernando, Mission Viejo	3-2-77	7107, 7113, 7115, 7117
Smith, W. R.	3336 Baldwin Park Blvd., Baldwin Park	2-4-77	7107, 7109, 7110, 7113, 7115
Stampcrete Inc.	4787 Ronson Ct., Ste. C, San Diego	1-28-77	7109, 7113
Stroud Air Conditioning	44425 N. Sierra Hwy., Lancaster	3-19-77	7109, 7113, 7115
Sullivan's Interiors (Phil's Carpet Service Inc. dba)	1801 Eastshore Dr., Berkeley	2-7-77	7107, 7109, 7113, 7115, 7119, 7159
Tampean's International of San Jose Inc.	94 Umbarger, San Jose	1-24-77	7107, 7109, 7113, 7121
Tide Tool & Engineering Co. Drilling & Services Div.	1990 Bernice Way, San Jose	1-14-77	7107, 7109, 7113
Titan Mountain Homes	Box 1012, Placerville	3-2-77	7109, 7110, 7113, 7120
Torrey Pines Remodeling Division of San Diego (Edward Harrison dba)	10981 San Diego Mission, Ste. L, San Diego	3-7-77	7107, 7113, 7115, 7116, 7119, 7120, 7123
Transamerican Construction Inc.	P.O. Box 1780 B, Garden Grove	2-20-77	7107, 7109, 7110, 7113, 7121, 7159
Tyler, Dennis G.	4924 E. Madison, Fresno	3-31-77	7108, 7120
Universal Coatings Inc.	14436 Sherman Way, Ste. 216	1-25-77	7107, 7111, 7113, 7117
Vis, Johannes P.	122 So. Mountain Ave., Monrovia	3-8-77	7107, 7109, 7110, 7113, 7159
White's Backhoe Service	6696 Clark Rd., Paradise	2-4-77	7109, 7113, 7115, 7116
Wilson Roofing	2535 Summer St., Eureka	1-10-77	7107, 7108, 7109, 7112, 7113, 7115, 7120
Wright, D A & Co.	401 S. Hartz Ave, Ste. 208, Danville	2-7-77	7107, 7108, 7113, 7115
Gorski, Raymond Roy Home Improvement Salesman	6057 Collax Ave., No. Hollywood	3-15-77	7121, 7155

DENIED 3rd QUARTER 1976-77

Namestyle	Address	Date	Sections violated
Cantwell, David A.—General Building Contractor	1769 E. Ralston, San Bernardino	3-2-77	480(a) (3)
Fosdick Const.	P.O. Box 1625, Paradise	1-7-77	480(a) (3)
Gains, Glenn General Contractor	35683 Ave. F, Yucaipa	3-2-77	480(a) (3)
Ogle, William Construction Co. Inc.	431 Del Oro Ave., Davis	1-7-77	480(a) (3), 480(b)
S. D. C. Construction	3307 Bennett Way, P.O. Box 120, Concord	1-10-77	480(b)

SUSPENDED 3rd QUARTER 1976-77

Namestyle	Address	Date	Sections violated and suspension time
A & D Plumbing Co.	8125 Ronson Rd., San Diego	2-22-77	7107, 7113 Indef.
Able Building Contractors	311 W. Acacia Ave., El Segundo	2-17-77	7121, 7122, 7122.5 30 Days
Air-Vent Aluminum Awning Company of Los Angeles Inc.	11719 The Plaza, Norwalk	3-21-77	7115, 7116 30 Days
Alders, A. E.	P.O. Box 128, Bear Valley	3-28-77	7122.5 Indef.
Alders Constructors Inc.	P.O. Box 1, Bear Valley	3-28-77	7109, 7113 Indef.
Architectural Builders Incorporated	1625 Centinela Ave., Inglewood	2-17-77	7115 30 Days
Aspen Enterprises Inc.	P.O. Box 128 Bear Valley Rd., Bear Valley	3-28-77	7097 Indef.
B & G Air Condition. & Heating Service	1323 Solano St., Corning	2-9-77	7107, 7109, 7113, 7115 Indef.
Bell, A. C.	698 North Palm, Woodlake	2-24-77	7122.5 180 Days
Blue Champagne Pools	4457 Van Nuys Blvd., Sherman Oaks	2-28-77	7122.5 180 Days
Blue Champagne Pools (Blue Champagne Pools of San Jose Inc. dba)	4457 Van Nuys Blvd., Sherman Oaks	2-28-77	7097, 7122.5 90 Days
Blue Champagne Pools (Blue Champagne Pools of San Jose Inc. dba)	4459 Van Nuys Blvd., Sherman Oaks	2-28-77	7097 180 Days
Blue Champagne Pools (Blue Champagne Pools of Sherman Oaks Inc. dba)	4457 Van Nuys Blvd., Sherman Oaks	2-28-77	7097, 7122.5 90 Days
Blue Champagne Pools (Blue Champagne Pools of Sherman Oaks Inc. dba)	4457 Van Nuys Blvd., Sherman Oaks	2-28-77	7097, 7122.5 90 Days
Blue Champagne Pools (Blue Champagne Pools of West Covina Inc. dba)	6551 Gazette Ave., Canoga Park	2-28-77	7097 180 Days
Blue Champagne Pools (Blue Champagne Pools of West Covina Inc. dba)	6551 Gazette Ave., Canoga Park	2-28-77	7109, 7113, 7114, 7116, 7118, 7122.5 90 Days
Blue Champagne Pools Inc.	4459 Van Nuys Blvd., Sherman Oaks	2-28-77	7113, 7120 180 Days
Blue Champagne Pools Inc.	4459 Van Nuys Blvd., Sherman Oaks	2-28-77	7097, 7122.5 90 Days
Blue Champagne Pools of Santa Ana Inc.	1638 East 17th St., Santa Ana	2-28-77	7097 180 Days
Blue Champagne Pools of Santa Ana Inc.	1638 East 17th St., Santa Ana	2-28-77	7097, 7122.5 90 Days
Brinkman, Dale	P.O. Box 242, 900 Wely Rd., Vernalis	3-10-77	7113, 7115, 7117, 7120 30 Days
Castagna and Associates	77 Alvarado Ave., Pittsburg	3-14-77	7122.5 60 Days
Chandler, Chuck Swimming Pool Construction	5838 Kenneth Ave., Fair Oaks	3-8-77	7113, 7116, 7120 15 Days
Construction Associates	30725 Brac Burn Ave., Hayward	3-28-77	7107, 7109, 7110, 7113, 7115, 7159 Indef.
D R E Construction Co.	P.O. Box 17784, San Diego	3-14-77	7109 120 Days
De Boer, Herman	P.O. Box 143, Mount Shasta	2-24-77	7109, 7113 180 Days
De Persia, Kenneth Masonry Contractor	P.O. Box 7871, So. Lake Tahoe	2-23-77	7108, 7116, 7120 Indef.
Diamond Parking Lot Maintenance	P.O. Box 232, Mt. Eden	2-22-77	7109, 7113, 7115, 7117, 7159 Indef.
E-Z Masonry	475 Polk, San Diego	3-23-77	7109, 7113, 7115 Indef.
Eddy, Fred M. Roofing Co.	6815 32nd St., North Highlands	2-8-77	7116 30 Days
El Real Masonry (Robert Carl Thomas dba)	23480 Park Sorrento, Calabasas	1-14-77	7122 15 Days
El Real Masonry (Robert Carl Thomas dba)	23480 Park Sorrento, Calabasas	1-14-77	7122 45 Days
Espinoza, Hank Landscape	1231 Blue Gum, Anaheim	3-22-77	7107, 7108, 7111, 7113, 7115, 7120, 7159 6 Mos.
Etchison, D. R.	P.O. Box 68, Gazelle	2-25-77	7122.5 45 Days
Evans Construction Co.	Box 681, Sutter Creek	2-17-77	7109, 7113 30 Days
F and J Construction Inc.	8060 Garfield Ave., Bell Gardens	2-11-77	7111, 7120, 7161 15 Days
Falcone West Valley Roofers Inc.	7111 Alabama Ave., Canoga Park	3-9-77	7109, 7113, 7159 30 Days
Falcone's West Valley Roofers	7111 Alabama Ave., Canoga Park	3-9-77	7122.5 30 Days
Fitzgerald, Gary Lathing	7649 Ethel Ave., No. Hollywood	2-14-77	7107, 7110, 7113, 7115, 7117, 7159 Indef.
Frakes, Raymond John	9762 Farralone, Chatsworth	1-7-77	7115, 7159 120 Days
French Roof Service	2911 Hollander St., Pomona	3-9-77	7107, 7109, 7113, 7116 60 Days
G. V. Contracting	410 Lee Drive, Azusa	1-28-77	7109, 7113 15 Days
Galbert Electric Company	4706 1/2 S. Arlington Ave., Los Angeles	2-17-77	7097, 7121 90 Days
Gann, C. D. General Building Contractor	4016 So. C St., Oxnard	3-28-77	7109, 7113, 7115, 7159 30 Days
Glenridge Landscape Company	P.O. Box 7907, Van Nuys	3-29-77	7113.5 15 Days
Grubb, Arlington F.	1540 Canal Ave., Long Beach	2-22-77	7107, 7108, 7109, 7111, 7113, 7115, 7119, 7120 30 Days
Hall Water Well	P.O. Box 329, Janesville	1-7-77	7109, 7110, 7113, 7115, 7116, 7119, 7159 Indef.
Handy Construction Co. (Alec B. Alhandy dba)	2200 Las Palomas, La Habra Heights	3-8-77	7109, 7113, 7115 60 Days
Handy Construction Company	2200 Las Palomas, La Habra Heights	3-8-77	7097 60 Days
Hanley Roofing Co.	11451 Cassara Ave., Lake View Terrace	3-1-77	7109, 7110, 7113 15 Days
Hollenbeck, Ernest J.	6551 Gazette Ave., Canoga Park	2-28-77	7121, 7122.5 180 Days
Hollenbeck, Ernest J.	6551 Gazette Ave., Canoga Park	2-28-77	7122.5 180 Days
Hollenbeck, Ernest J.	6551 Gazette Ave., Canoga Park	2-28-77	7097, 7122.5 90 Days
Howard, H. Plastering	1574 No. Andrea Circle, Simi Valley	2-9-77	7107, 7113, 7115, 7116, 7120 Indef.
Industrial-Commercial Electric Co.	5623 S. Normandie Ave., Los Angeles	2-17-77	7107, 7113, 7115, 7117, 7159 90 Days
Jeffery Construction Inc.	1146 E. Workman Ave., West Covina	2-8-77	7115 10 Days
Jochim, Bernard Cement Contractor	4125 Woodworth Rd., Sebastopol	3-25-77	7109, 7110, 7113, 7159 30 Days
Lonnecker, R. A. Co.	5612 Stresemann St., San Diego	3-18-77	7107, 7108, 7113, 7115 Indef.
Mason's Electric	6693 Spruce Lane, Dublin	3-22-77	7107, 7113, 7115, 7159 Indef.
Merrifield Excavating Co.	5493 Bonnie St., San Bernardino	3-18-77	7109, 7113 Indef.
Mesa Roofing Company	1289 Loupe Ave., San Jose	2-22-77	7107, 7108, 7113, 7115, 7116, 7117, 7120, 7159 Indef.
Middleton's Concrete Construction Co.	3540 Burbank Court, San Diego	1-28-77	7122.5 30 Days
Monarch Electric Company	8560 G Roland St., Buena Park	3-1-77	7113 60 Days
Moss, Tom Builder	P.O. Box 128, June Lake	2-7-77	7097, 7107, 7113, 7115, 7116, 7117, 7119, 7120, 7122.5 120 Days
Neighborhood Building Contractors	4130 Montelith Dr., Los Angeles	3-18-77	7107, 7108, 7113, 7115 Indef.
Nichol, Gerald	Rt. 1 Box 1322, Anderson	3-15-77	7109, 7110, 7113, 7115 15 Days
Northland Builders Inc.	635 N. Escondido Blvd., Escondido	3-24-77	7071.11, 7110 Indef.
Olympian Pools Inc.	P.O. Box 20063, San Diego	3-8-77	7097 5 Days
Parker, H. Earl	1013 F Street, Marysville	3-22-77	7097, 7122.5 15 Days
Parker, H. Earl Inc.	P.O. Box 551, Marysville	3-22-77	7108, 7115, 7120 120 Days
Paving Engineers	13526 Myren Dr., Saratoga	1-7-77	7107, 7109, 7113, 7115 Indef.
Peebles & Deans Inc.	3303 Harbor Blvd., Bldg. B, Ste. 11, Costa Mesa	2-2-77	7097 Indef.
Peebles, Wade E. Jr. Inc.	P.O. Box 4683, Irvine	2-2-77	7107, 7113, 7115, 7117 Indef.
Perine, Alfred	815 Stone St., Oakland	1-5-77	7121, 7122 60 Days
Petersen, Richard	Star Route 5, Loma Mar	3-25-77	7107, 7113, 7115, 7159 Indef.
Ponderosa Industries Inc.	4869 Santa Monica Blvd., San Diego	2-2-77	7097 Indef.
Priboy Electric	275 Grand View Ave., San Francisco	3-16-77	7107, 7108, 7111, 7113, 7115, 7116 Indef.
Reed, George Inc. and H. Earl Parker Inc. J V	P.O. Box 548, Sonoma	3-22-77	7097, 7122.5 120 Days
Rinaldi, Louis	16746 Bermuda St., Granada Hills	3-23-77	7109, 7110, 7115, 7117, 7159 5 Days
Roesner, Robert C.	6501 Gilbert Rd., Palo Cedro	2-7-77	7115 90 Days
Roth Construction Company	9270 Edgewood Dr., La Mesa	3-7-77	7115, 7122.5 15 Days
Royal Pools of Riverside	104 River Road, Corona	3-8-77	7107, 7113 5 Days
Ryan, Dennis	832 Millberry, Brea	2-22-77	7107, 7113, 7159 Indef.
Scully Peter Building Corp.	11699 Bellagio Rd., Los Angeles	3-14-77	7109, 7113 30 Days
Serviss, Leonard M.	6561 Rocky Lane, Paradise	1-4-77	7122.5 10 Days
Shaw, Floyd P.	P.O. Box 492, Waterford	3-2-77	7109, 7113, 7115 180 Days
Siladi, Thomas J. Construction	2502 Pardo Vista Way, Placerville	3-28-77	7107, 7109, 7113 Indef.
Stapp, Thomas Olin	4457 Mustang Rd., Chino	3-21-77	7121, 7122 5 Days
Starkweather & Sons Construction Co.	1849 Magnolia, Rialto	3-14-77	7116, 7120 180 Days
T R T Builders Inc.	160 Centennial Way #6, Tustin	2-9-77	7109, 7110, 7115, 7117 20 Days
Terry, Robert A.	29840 Miller Road, Valley Center	3-24-77	7097, 7122.5 Indef.
Thacker, Louis William	Rt. 1 Box 362, Durham	3-6-77	7109, 7113 10 Days
Tomorrow's Construction	682 E. Main #8, El Cajon	3-28-77	7109, 7110, 7113, 7115, 7117, 7159 Indef.
Vienna, Sam Contracting Inc.	P.O. Box 5144, Pasadena	1-28-77	7097 15 Days
Zarubica Bros.	5645 N. Rosemead Blvd., Temple City	3-16-77	7109.5 10 Days
Zarubica, R. J.	1503 W. 5th St., San Pedro	3-16-77	7122.5 10 Days

WHAT'S HAPPENING IN SOLAR

The Contractors' State License Board hopes to keep the contractor informed about what is happening in the field of solar heating and cooling systems in California. This article is the first in the series. The field is growing fast, much is happening in the Legislature, and the builder and installer need to be well informed to protect themselves, the public, and the industry.

First, and most important, the solar tax credit has been approved. There is an article elsewhere in this issue explaining more about it. If you have questions or comments about the solar tax credit, write to Tax Credit, State Energy Commission, 1111 Howe Ave., Sacramento, CA 95825—or call toll free (800) 852-7576. Forms for obtaining tax credit are available from the Franchise Tax Board, Tax Forms Request Unit, Sacramento, CA 95867.

In addition, the State Energy Commission has and is setting down guidelines and criteria for solar energy systems eligible for a state tax credit. An interim set of guidelines was adopted December 28, 1977. A final set will be drawn up by April, 1978. For a copy of these interim guidelines, write to:

State Energy Commission
Alternatives Division, Solar
Office
1111 Howe Ave.
Sacramento, CA 95825

The Energy Commission is currently establishing a program for the Testing and Inspection of Solar Equipment. The purpose of the overall program is "to promote orderly growth of the solar industry by developing and distributing information about thermal performance, reliability, durability, safety and maintainability of solar products in

California." By this program, they hope to decrease the uncertainties currently felt about solar devices, and increase consumer knowledge by providing easily understood technical information.

If you are installing a solar unit and have a critical technical problem, you can receive advice or assistance by using this "hotline": (916) 445-5185. Ask for either Mr. Jerry Yudelson or Mr. Vince Stasi.

Many publications are now being made available to the solar consumer and installer. Two of interest are:

1. *Solar For Your Present Home*, (retrofit guide for Northern California), Energy Resources Conservation and Development Commission, 1111 Howe Ave. Sacramento, 95825, 162 pp. \$4.00 by mail, \$3.00 pick-up.
2. *California Solar Information Packet*, ERCDC, 1111 Howe Ave., Sacramento, 95825, 33 pp. Free.

The Contractors' State License Board has a new Energy Consultant, Mary Jane Shenkin, (415) 843-2740 x5605 who would like to help with any problems that arise in either solar or insulation. She will be developing a multiphase program for the Board. One item of which will be to keep the contractor up to date on new legislation, courses offered & programs of interest to the contractor dealing with solar.

Home Improvement Salesmen

(Cont. from Page 5, Col 3)

assigned for a particular contractor the salesman is employed by. As an example a salesman will receive a number such as AA 1234 for the first contractor he or she is employed by. If

he or she sells for a second contractor the number issued would be BA 1234. A third registration would receive CA 1234 as the registration number and so on. The numerical part of the registration number will always remain the same for each person registered.

Each week registrations issued are posted on the weekly posting list prepared by this Agency. The name of the registrant appears on this posting list together with the salesman's address, registration number and the name and license number of the contractor he is employed by.

The distribution of the posting list is very limited so contractors may not always be aware of other contractors his employee is registered to sell home improvements for. For this reason the Registrar has instituted a procedure for notifying all the contractors for whom a person is registered as a salesman, that their salesman is being registered as a salesman for an additional contractor.

Registrations not renewed before July 1 of each even numbered year are automatically terminated. A new application is required to continue a registration which has expired. If a salesman is issued a number with a prefix other than "AA" it would not necessarily mean that he or she is currently registered with more than one contractor because of termination due to expiration of registration. A registration number with an "AA" prefix would indicate the first time registration for the person the number is issued to. However, an "AA" prefix on the posting list may be a reassigned number and does not necessarily reflect that it is the one and only registration.

The procedure of notifying a contractor with a salesman of an additional registration by the salesman should alert the contractor that his salesman is selling contracts for one or more contractors.

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.	7123	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.
7108	Revocation of additional licenses.	7113.5	Avoiding or settling for less than lawful obligations as a contractor through the various bankruptcy proceedings.	7123	Conviction of a Felony in connection with construction activities.
7107	Abandonment of a project without legal excuse.	7114	Aiding and abetting an unlicensed person.	7124	A plea of nolo contendere is considered a conviction.
7108	Diverged funds or property received for a specific job to other purposes.	7115	Failure to comply with the Contractors Law.	7154	Employment of unregistered home improvement salesman.
7109	Willfully disregarded plans and specifications, or has failed to complete the job in a good and workmanlike manner.	7116	Committing a willful or fraudulent act as a contractor.	7155	Participation in violation by a home improvement salesman.
7109.5	Violation of Safety Laws resulting in death or serious injury.	7117	Acting as a contractor out of namestyle.	7157	Model Home, kickback prohibition.
7110	Willful disregard and violation of building laws.	7117.5	Contracting with inactive licensee.	7159	Failure to comply with contract requirements.
7110.1	Violation of Section 206.5 of the Labor Code.	7118	Contracting with unlicensed person.	7161	False advertising.
7111	Failure to keep records and to make them available to a representative of the registrar.	7119	Failure to prosecute a job with diligence.		
		7120	Failure to pay for materials or services.		
		7121	Prohibition against associating with suspended or revoked licensees.		

STATE OF CALIFORNIA
DEPARTMENT OF

**Consumer
Affairs**

CONTRACTORS' STATE LICENSE BOARD
1020 N Street
SACRAMENTO, CA 95814

BULK RATE

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