

CALIFORNIA LICENSED CONTRACTOR

DAVID R. PHILLIPS, REGISTRAR

WINTER 1994

PETE WILSON, GOVERNOR

Registrar's Corner

David R. Phillips
Registrar of Contractors

If this issue of the *California Licensed Contractor* seems bigger than usual, that's because it's been nearly two years since our last newsletter. This newsletter is the only way we have to communicate with our nearly 280,000 licensees, and I want to share as much information as we can squeeze into this issue.

One very important piece of news is that the Board's Unlicensed Activity Unit (UAU) is now a statewide operation. In 1989 the Board initiated the UAU as a demonstration project in Southern California. The only responsibility given to UAU investigators was to go after and cite unlicensed contractors, and when necessary take them into custody.

To accomplish this they were authorized to use a wide variety of enforcement tactics and information sources — stings, sweeps, tips from industry associations and building inspectors, leads from other sources. We wanted to send a strong message to people engaged in illegal contracting activity: Any actions that deprive legitimate contractors of work will not be tolerated.

A typical UAU sting consists of having Board investigators pose as the owners of a house in need of repairs. Suspects are contacted and invited to visit the site and bid on the project. As soon as they make an illegal proposal in the presence of an investigator, the investigator asks whether they are licensed. If they say no or are unable to provide proof they are in fact licensed, they are cited and if necessary taken into custody.

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Dave Phillips: In Memoriam

Contractors State License Board Registrar Dave Phillips died in his sleep on Sunday, January 30. He had been with the Board for 29 years, the last eight as its registrar and executive officer. He was 65.

Many at the Board worked with Dave for their entire careers. Others worked with him for only a short period. But we all had the privilege and joy of working with a person who loved his work, admired the construction industry, respected the Contractors State License Board and, most of all, enjoyed the friendship and support of his fellow employees.

An immigrant from Wales, Dave frequently described himself as just another hard-working Welshman. He came to the United States as a young man and labored in the construction industry as a roofer, superintendent and eventually as a licensed contractor.



David R. Phillips, 1928 — 1994

In 1965 he joined the Contractors State License Board as an investigator and worked his way up through the ranks: first as a supervisor, then as a regional deputy for Southern California, finally as registrar and executive officer.

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Board Chooses New Chairman, Adds Nine New Members

Members of the Contractors State License Board last summer elected Mrs. Phil Moore of Lompoc to be the Board's new chairman. She replaces Joseph Valverde.

Mrs. Moore was originally appointed to the CSLB by Governor Deukmejian in 1990 and was reappointed by Governor

Pete Wilson in 1992. She has experience as a decorating and sales assistant with Contract Decorators in Redwood City, is a long-time volunteer in her community and has been active in the Republican Party in Southern California. Her one-year term will end in July 1994.

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1994 Board Meetings

The Contractors State License Board has scheduled the following Board meetings for 1994:

- April 21-22 — Sacramento
- July 22 — Los Angeles Area

The public is cordially invited to attend all Board meetings. Anyone interested in receiving the meeting

agenda beforehand or in being on the agenda should contact Joyce May, CSLB, P. O. Box 26000, Sacramento, CA 95826. Every Board meeting includes an opportunity for audience members to address the Board without prior arrangement. ☺

New Laws for Contractors

The 1993 state legislative session produced several important changes in the laws affecting contractors, including new fees and bond limits. It also authorized the Contractors State License Board to suspend a contractor's license on an interim basis in certain situations.

To effect an interim suspension the Board must show illegal or criminal actions related to the licensed activity. It must also show that permitting the

[Continued on page 6]

License Suspensions

In the 21-month period between April 1, 1992, and Dec. 31, 1993, the CSLB suspended the licenses of 1,595 contractors.

Licenses suspended for disciplinary reasons: 9; licenses suspended for failure to comply with citations: 1,420; licenses suspended for failure to comply with an arbitration award: 166.

Unlicensed Contractor Citations

During the same 21-month period, CSLB deputies issued 2,835 citations to unlicensed contractors.

License Revocations

Contractors whose licenses were revoked during the last four months of 1993 are listed on pp.3-7. Space limitations prevented the listing in this issue of the *California Licensed Contractor* of all whose licenses were revoked since our previous issue.

If you wish to receive a complete list of contractors whose licenses were revoked from April 1, 1992, through Dec. 31, 1993, send a request for this list, together with a number 10 self-addressed stamped envelop to:

California Licensed Contractor
Contractors State License Board
P. O. Box 26000
Sacramento, CA 95826

California Licensed Contractor



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Contractors State License Board

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State of California

Pete Wilson
Governor

James Conran
Director, Department of
Consumer Affairs

David R. Phillips
Registrar of Contractors

**Members of the
Contractors State License Board**

- Mrs. Phil J. Moore *Public Member,
Chairman*
- Paul C. Petersen *B-Contractor,
Vice Chairman*
- Robert H. Alvarado *Public Member,
Labor*
- Nettie I. Becker *Public Member*
- John E. Chalker *Public Member*
- James L. Frayne *Public Member*
- Sharon J. Kowitz *Specialty
Contractor*
- Robert A. Laurie *Public Member*
- David Lucchetti *Specialty
Contractor*
- Nina S. Tate *B-Contractor*
- Joseph A. Valverde *A-Contractor*
- Sun G. Wong *Public Member*
- Benny Y. Yee *Public Member*

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License Fee Increases to Support Unlicensed Activity Enforcement

The state Legislature approved an increase in contractor license fees during the 1993 legislative session. At least 20 percent of



the revenue increase resulting from this new fee schedule is to be used to pay for a statewide campaign to combat unlicensed construction activity in California (see "The Registrar's Corner," p. 1).

The Contractors State License Board lobbied successfully for the new fee schedule (effective January 1, 1994) as a critical measure for the Board to be able to provide effective levels of service to both consumers and contractors. Service to consumers consists primarily in providing information on how to hire and work with a contractor and in investigating and resolving complaints involving licensed as well as unlicensed contractors. Service to contractors includes providing examinations and licenses and attempting to eliminate illegal construction activities by unlicensed and licensed contractors.

Senate Bill 148 received strong support from most construction industry members and associations as well as from most of the Legislature and Governor Pete Wilson.

The following schedule lists only the fee changes created by SB 148. Fees not specified here remain the same.

License Service	New Fee
Application Fees (up \$100 from 1993)	
Original application (exam required)	\$250
Original application (no exam required)	\$250
Joint venture application	\$250
Total fee for one class on an original application, exam waived, or joint venture application, no exam required (\$250 application fee plus \$150 initial license fee)	\$400
Renewal fees	
Timely active renewal for two years (up \$100)	\$300
Delinquent active renewal (active renewal fee plus \$25 delinquent fee)	\$325
Timely inactive renewal for four years (up \$75)	\$150
Delinquent inactive renewal (inactive renewal fee plus \$25 delinquent fee)	\$175
Home improvement salesperson timely renewal (up \$25)	\$75
Home improvement salesperson delinquent renewal (renewal fee plus \$25 delinquent fee)	\$100
Miscellaneous fees	
Reactivation of contractor's license (up \$100)	\$300

Board Tightens Application Review

New applicants for contractors' licenses should note that three sections of their applications — the experience information, lawsuit and unpaid bill sections — are now receiving far more careful scrutiny as the result of a new Contractors State License Board (CSLB) pilot program.

Current Board policy requires all new applications to be reviewed for truth and accuracy. CSLB deputies also

make an independent field investigation of the data provided on at least 3 percent of all applications as required by Board Rule 824.

The new pilot program, launched in January of this year, calls for the Board to develop ways of verifying the information provided on a sizable random sample of all new applications by asking applicants and previous employers to provide records that document the

State Strike Force Helps Battle Unlicensed Activity

A Joint Enforcement Strike Force created last year by Governor Pete Wilson to combat California's underground economy is expected to focus heavily on unlicensed construction activity.

The underground economy consists of activities that violate laws and regulations designed to protect consumers and businesses as well as to generate revenues for public agencies. Unlicensed and unregulated activities in the construction, garment and automotive repair industries constitute major elements of this illicit economy.

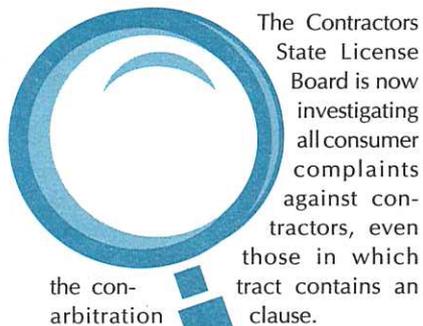
The state's Joint Enforcement Strike Force, which consists of representatives from the Employment Development Department (EDD), the Department of Industrial Relations, the Department of Consumer Affairs (including the Contractors State License Board) and the Office of Criminal Justice Planning under the leadership of EDD Director Thomas Nagle, will develop and share information on the underground economy and coordinate enforcement activities among member groups. The Board's Unlicensed Activity Units (see "The Registrar's Corner" on p. 1) will spearhead CSLB participation in the strike force program.

Executive Order W-66-93, signed by the governor last October 26, directs the force to be up and running in early 1994. Reports of unlicensed construction activity or other aspects of the underground economy should be referred to Unlicensed Activity Units in the Board's three regional offices: Northern, (916) 255-2924; Central, (818) 543-4731; or Southern, (714) 994-7435.

applicant's claims of experience and other qualifications. Special attention will be devoted to information pertaining to work experience, civil judgments and unpaid bills.

Anyone asked for this information should remember that the penalties for providing false information are severe: Fines can be as high as \$2,000, and contractors risk having their licenses suspended or revoked.

Arbitration Clauses No Longer Prevent CSLB Investigations



The Contractors State License Board is now investigating all consumer complaints against contractors, even those in which the contract contains an arbitration clause.

Until last year it was Board policy not to investigate complaints from consumers if the contract between the consumer and the contractor contained an arbitration clause. Since October 7, however, the Board has accepted and investigated all consumer complaints regardless of whether there is an arbitration clause in the contract.

"Arbitration clauses are still appropriate in contracts between consumers and contractors," said Acting CSLB Registrar Mickey Matsumoto. "But they should not be used to prevent this Board from investigating alleged violations of contractor license laws, rules and regulations.

"An arbitration award could affect the outcome of a Board investigation," he added, "but such awards should not pre-empt investigations, and contractors should no longer assume the Board will stay out of a consumer dispute just because the contract contains an arbitration clause."

Disciplinary Action • September to December 1993

Note: Disciplinary actions do not include licenses suspended for failure to maintain required bonds. The following explanation may be helpful to identify causes of disciplinary action indicated by sections referenced in the table of Disciplinary Actions.

Business and Professions Codes

490	Relationship of conviction of a crime to licensed activity	7111	Failure to keep records and to make them available to a representative of the Registrar
7018.5	Failure to provide notice to owner regarding lien provisions	7111.1	Refusal to or failure to cooperate with deputy in investigation
7026.7	Advertising as a contractor without a license	7112	Misrepresentation of a material fact on an application
7028	Acting in the capacity of a contractor without license	7113	Failure to complete a project for the price stated in the contract
7029	Contracting as a joint venture without the required license	7113.5	Avoiding or settling for less than lawful obligations as a contractor through the various bankruptcy proceedings
7029.5, 7029.6, 7029.7	Failing, as a plumbing, electrical sign or well drilling	7114	Aiding and abetting an unlicensed person
7030	Failing to include in a contract the notice that contractors are licensed by the Contractors State License Board	7115	Failure to comply with the Contractors' Law
7030.5	Failing to fulfill the requirement that the contractor's license number be placed on all contracts, subcontracts, calls for bid, and other forms of advertising	7116	Committing a willful or fraudulent act as a contractor
7071.11	Judgment or admitted claim against bond	7117	Acting as a contractor out of namestyle
7083	Failing to report a change of address, namestyle, or personnel within 90 days	7117.5	Contracting with inactive license
7085.6	Failure to comply with an arbitration award	7118	Contracting with unlicensed person
7090.1	Failure to comply with civil penalty or "order to correct" in Registrar's citation	7119	Failure to prosecute a job with diligence
7097	Suspension of additional licenses	7120	Failure to pay for materials or services
7098	Revocation of additional licenses	7121	Prohibition against associating with suspended or revoked license
7099.6	Non-compliance with a final citation	7122	Participation of license in violating Contractors Law
7107	Abandonment of a project without legal excuse	7122.5	Responsibility of Qualifying Person for acts committed by his/her principal
7108	Diverted funds or property received for a specific job to other purposes	7123	Conviction of a Felony in connection with construction activities
7109	Willfully disregarded plans and specifications, or has failed to complete the job in a good and workmanlike manner	7124	A plea of nolo contendere is considered a conviction
7109.5	Violation of Safety Laws resulting in death or serious injury	7154	Employment of unregistered home improvement salesman
7110	Willful disregard and violation of building laws	7155	Participation in violation by a home improvement salesman
7101.1	Violation of Section 206.5 of the Labor Code	7157	Model Home kickback prohibition
		7159	Failure to comply with contract requirements
		7161(b)	False advertising

Licenses Revoked

NAMESTYLE	CITY	LICENSE#	EFFECTIVE DATE	VIOLATION CONTRACTORS LAW
A CONSTRUCTION COMPANY	SAN JOSE	577480	09-22-93	7090.1
A DESIGN IN CONSTRUCTION	FELTON	542840	10-19-93	7090.1
A & L POCH DEVELOPMENT INC	PALM SPRINGS	449940	11-19-93	7107, 7113, 7115, 7159, 7121
ACCENT GLASS DBA ACCENT CONSTRUCTION	BAKERSFIELD	490499	09-30-93	7107, 7110, 7113, 7115, 7030, 7030.5, 7159, 7116, 7117.6, 7071.11, 7097, 7098, 7121, 7121.5, 7122.5
ACE CONSTRUCTION COMPANY	EL CERRITO	342472	11-17-93	7107, 7109(B), 7113, 7115, 7159, 7116, 7120, 7117, 7097, 7098, 7121.5
ACS ASBESTOS HAZARD MANAGEMENT INC	EMERYVILLE	509510	11-02-93	7090.1
AFAB	SACRAMENTO	498461	11-30-93	7085.6
ALL AMERICAN BUILDERS	SANTA YNEZ	348154	11-29-93	7109, 7113, 7115, 7159, 7116, 7117.5
ALPHA ROOFING	HEALDSBURG	583960	10-21-93	7109, 7113, 7121.5
AMERICAN EXTERIORS	PACHECO	578822	10-19-93	7090.1
AMERICAN HOUSE MOVING AND DEMOLITION	OCEANO	517701	09-28-93	7090.1
AMERICAN PLUMBING	HEMET	504438	11-19-93	7097, 7098, 7122.5
ANDREWS CARPENTERS	WEED	419060	11-19-93	7116, 7120, 7123, 7121, 7121.5
ARMSTRONG CONCRETE	SYLMAR	597081	11-19-93	7090.1
BARBARA LAKE INC DBA MARATHON 533	AZUSA	597214	09-08-93	7090.1
BATHTECH INC	BAKERSFIELD	506344	10-26-93	7090.1
BB & J CONSTRUCTION INC	UKIAH	607963	10-01-93	490, 7112, 7121.5
BECKER SMITH PIPELINE	HIGHLAND	442730	11-19-93	7109, 7113, 7115, 7028, 7121, 7121.5
BEIREIS EXCAVATION COMPANY	SAN JOSE	518847	09-08-93	7090.1
BENCHMARK DESIGNS INC	COSTA MESA	574784	11-25-93	7107, 7113, 7115, 7121, 7018.5, 7159, 7116
BENNETT CONSTRUCTION CO	BLOOMINGTON	341636	10-29-93	7090.1
BERRY HOME INCORPORATED	DANA POINT	501022	09-30-93	7109
BERRY WILLIAM THOMAS JR	DANA POINT	466921	09-30-93	7122.5

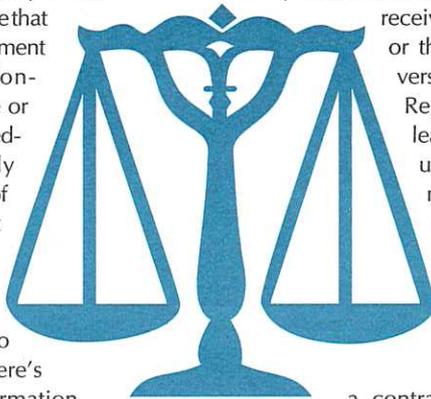
[continued on page 5]

Civil Judgments and Arbitration Awards

Lose in court? Now what?

Ours is a litigious society, where every other business disagreement seems to result in a lawsuit.

As a contractor you are undoubtedly aware that an unsatisfied judgment in a construction-related court case or arbitration proceeding can seriously affect the status of your license. But you may not be sure what that harm consists of, or what you can do to prevent it. Here's some basic information



that could prove invaluable in case of a negative legal judgment.

In case of an unsatisfied judgment, the first thing you should do is notify the Registrar of the judgment — in writing. This notification is required by law (Business and Professions Code section 7071.6). In the case of a civil judgment, you must make this notification within 90 days. In an arbitration proceeding you must act within 100 days.

Once you notify the Registrar, you have 90 days to either secure a judgment bond in the amount of the judgment, satisfy the judgment or reach an agreement with the judgment holder. So long as you achieve one of these resolutions within 90 days, the status of your license remains unchanged, and the Board simply notes the judgment on your license record.

If you fail to notify the Registrar

within the required time frame, as soon as the Registrar receives word of the judgment your license will be immediately suspended and will remain suspended until the judgment holder receives full satisfaction or the judgment is reversed on appeal. The Registrar eventually learns of virtually all unsatisfied judgments, usually because the judgment holder or a consumer sends the Board a copy of the judgment. A judgment against

a contractor with a sole owner license only jeopardizes that specific license. On the other hand, a judgment against a contractor who is also a qualifier of other licenses (as an RMO, RME or qualifying partner) places those licenses at risk as well, because it makes him or her ineligible to act as a qualifier for any other licenses. In such cases the Board notifies the parties involved in those other licenses at the time of the suspension that they have 90 days to find a replacement qualifier or qualifiers; otherwise those licenses will also be suspended.

This notification requirement only pertains to judgments related to actions reflecting the contractor's qualifications, functions or duties as determined by the license. But anytime you are the target of an unsatisfied judgment, the prudent move is to notify the Registrar right away — in writing. ●

Problems with Other Agencies Can Cost You Your License

Licensees with outstanding liabilities with the Department of Industrial Relations, the Employment Development Department, the Franchise Tax Board or other state agencies risk having their licenses suspended if they fail to resolve them.

Business and Professions Code section 7145.5 states that the CSLB Registrar can suspend or refuse to issue, reinstate, reactivate or renew a license if there is an outstanding liabil-

ity with any of these agencies. As defined in this statute, "outstanding liability" includes taxes, tax additions, penalties or interest.

Don't jeopardize your license by ignoring or underestimating any liabilities with these agencies. Get in touch with a representative at the agency you are having the problem with and work out a mutually agreeable resolution plan. ●

Licenses Affected by Changes in Corporate Name or Status

Is your corporation in compliance with the state's requirements for doing business as a corporation in California? If not, your corporate contractor's license could be at risk.

To do business as a corporation in California, you must register your corporation with the California Secretary of State. Once you are registered, the corporation must remain on active status to legally conduct business.

The Contractors State License Board has direct access to the Secretary of State's corporate files. Before the CLSB processes renewal applications for corporate entities, we check the corporation's status and make sure the corporate name on our records is the same as the registered corporate name.

If a corporation's status is dissolved, merged out of existence or surrendered,

the Board notifies the corporation by letter that the license is canceled and cannot be renewed. As of this year, if the corporation's status is suspended, the Board informs the corporation that the Secretary of State must lift the suspension and restore the corporation's "active" status before the license can be renewed.

If the corporate name on CSLB records differs from the registered corporate name, the corporation receives a letter apprising them of the options for resolving the discrepancy.

If your corporation's name or status changes, you must notify the CSLB Registrar within 90 days of the date the change goes into effect. If your corporation is under suspension, it would be to your benefit to clear the suspension immediately. ●

12,922 Licenses Suspended for Workers Comp Violations

The Contractors State License Board this year has suspended the licenses of 12,922 contractors for failing to comply with the state workers compensation laws.

More than 75,000 contractors last year received pre-suspension letters warning that they had not yet filed workers comp forms as required by Business and Professions Code section 7125.1. The 12,922 whose licenses have been suspended are those who failed to respond to this warning.

Every licensed contractor is required by law to file workers comp information with the CSLB. A licensed contractor with employees must file a "Certificate of Workers Compensation Insurance" or a "Certification of Self-Insurance" obtained from the Department of Industrial Relations. A contractor with no employees must file an "Exemption from Workers Compensation" (Form 13L-50). Failure to file appropriate documentation will result in suspension of your contractor's license.

If you have moved without notifying the CSLB, please use the change-of-address form on p. 6 of this newsletter to inform the Board of your new location. ●



Info on Automated Toll-Free Number Expanded

The Board's toll-free public telephone number (1-800-321-CSLB) now includes information on judgments and disciplinary actions against a contractor as well as whether his or her license is "clear and active," suspended or revoked. It also provides a number to call for more detailed information from an operator.



Previously, callers using the toll-free number learned only whether a license was clear, suspended or revoked. They received no information about pending judgments or disciplinary actions, or whether the licensee had a record of previous disciplinary actions.

This information is now a standard part of the toll-free message.

"The decision to expand the amount of information provided to callers is a reflection of the Legislature's—and the Board's—desire to make the consumer better informed so as to enable him or her to make more informed decisions," Acting CSLB Registrar Mickey Matsumoto said.

In addition to the automated response system, the Board also maintains a Complaint Disclosure System for anyone interested in obtaining complaint information about a licensee. This system provides information on past and pending legal actions against a contractor, the type of offense, whether it has been resolved and the current license status.

"The Complaint Disclosure System is a product of the requirement in Business and Professions Code section 7124.6 that any complaint actually referred for legal action against a licensee be made available to the public upon request," Matsumoto explained.

There is a complaint disclosure telephone number for each of the Board's three regions. They are: Northern Region, (916) 255-4041; Central Region, (818) 543-4735; and Southern Region, (714) 994-7450.

[continued from page 3]

Licenses Revoked

NAME/STYLE	CITY	LICENSE#	EFFECTIVE	VIOLATION CONTRACTORS LAW DATE
BIG VALLEY PROPERTY MAINTENANCE	MODESTO	604360	12-22-93	7107, 7109A, 7109B, 7110, 7113, 7097, 7098, 7121, 7121.5
BLACKTOPPER CO	ANDERSON	533423	11-10-93	7090.1
BLUE HAVEN POOLS WEST	LAS VEGAS, NV	515666	10-30-93	7071.11, 7107, 7113, 7097, 7098, 7121.5, 7122.5
BURATTI LEWIS N JR	LAS VEGAS, NV	231402	10-30-93	7097, 7098, 7121.5, 7122.5
BURGESS RICHARD FLETCHER	MAGALIA	369519	09-09-93	7097, 7098
BURTON, GARY ALLEN	CONCORD	322254	10-10-93	7109, 7113, 7115, 7159, 7097, 7098, 7121.5
C W P INC DBA CAL WEST PAINTING	REDWOOD CITY	560920	10-21-93	7116, 7097, 7121, 7121.5
CALIFORNIA SUN SEAL CORPORATION	SACRAMENTO	603742	10-10-93	7107, 7109, 7113, 7115, 7159, 7116, 7117.6, 7090.1, 7097, 7098, 7121.5
CAPPELL KENNETH	STOCKTON	421631	11-10-93	7090.1
CARLSON JOE	WILDOMAR	492484	09-30-93	7107, 7113, 7115, 7083, 7116
CARPENTER'S CONSTRUCTION & REMODELING	SAN JOSE	484055	11-10-93	7109, 7113, 7115, 7159, 7121, 7121.5
CARPETS BY DON GRAVES	RIVERSIDE	475404	10-08-93	7030, 7109(A), 7113, 7115, 7159, 7121.5, 7097, 7098, 7121
CARRARA MARBLE WORKS	WATSONVILLE	479569	10-10-93	7107, 7113, 7116, 7097, 7098, 7121, 7121.5
CHARTER PACIFIC BUILDERS INC	IRVINE	575221	09-08-93	7090.1
CHEROKEE CONSTRUCTION INC	UKIAH	350055	10-01-93	7110, 7116, 7121
CIANDRO RICHARD JR. GENERAL BUILDER	CLEAR LAKE	474963	10-10-93	7108, 7113, 7115, 7083, 7028, 7030, 7120, 7097, 7098, 7121, 7121.5
CIRCLE ROOFING	STOCKTON	604084	10-21-93	7107, 7109(A), 7113, 7111.1, 7115, 7159, 7090.1, 7097, 7098, 7121.5
CLARK CONSTRUCTION CO	SACRAMENTO	410035	11-27-93	7109, 7110, 7113, 7115, 7159, 7117, 7154, 7097, 7098, 7121, 7121.5
CLARK, PAUL ROOFING INC	SACRAMENTO	611292	11-27-93	7097, 7098, 7121, 7121.5
CLARKS SCENIC DESIGN	FRESNO	546456	10-26-93	7085.6
CLASSIC IMPRESSIONS	VENTURA	581895	10-26-93	7090.1
CLOVER CREST CONSTRUCTION CORPORATION	DIAMOND BAR	400581	10-26-93	7090.1
CONNORS BUILDING COMPANY	ROSEVILLE	511038	11-30-93	7090.1
COOPER JOHN O'NEAL	GRANADA HILLS	598244	11-06-93	7107, 7113, 7097, 7098, 7121.5
CORNACCHIOLI FRANK	SACRAMENTO	354222	10-19-93	7090.1
CORNELL BOB GENERAL CONTRACTOR	GLENDALE	458327	09-09-93	7090.1
CORNERSTONE HOME IMPROVEMENTS	FREMONT	563641	10-21-93	7107, 7113, 7071.11, 7121
COUNTRYSIDE BUILDERS INC	SAN JOSE	459224	09-25-93	7107, 7109, 7113, 7108, 7120, 7115, 7159, 7097, 7098, 7121, 7121.5
CRAIG L D GENERAL CONTRACTOR	VALLEJO	344412	11-02-93	7090.1
CREATIVE DEVELOPMENT	BONITA	570483	10-07-93	7085.6
CREATIVE HARDWOOD FLOORS	NORTH HILLS	448456	11-25-93	7109, 7110, 7113, 7115, 7030, 7159
D F CONSTRUCTION	SAN RAMON	572804	09-22-93	7090.1
D N E INC	NORTHBRIDGE	598605	10-30-93	7098, 7121.5, 7122.5
D & R CONSTRUCTION	CASTRO VALLEY	622589	10-15-93	7097, 7098, 7121, 7121.5
DACO INSTALLATIONS	NAPA	311342	12-22-93	7097, 7098, 7122.5
DARR DAVE MASONRY	SAN CLEMENTE	514166	10-08-93	7085.6
DELUXE POOLS BY DAVID PARSONS	CANOGA PARK	348177	09-08-93	7090.1
DILTS PHILLIP RAY	ENCINITAS	435511	10-08-93	7090.1
DUNWELL MASONRY CO	FAIR OAKS	608727	11-10-93	7090.1
E J CONSTRUCTION	WALNUT CREEK	411305	11-30-93	7090.1
ELECTRICAL POWER CONTRACTING CO	NORTH HOLLYWOOD	549507	10-21-93	7085.6
ELMARK HOMES INC	OAKLAND	371069	09-03-93	7090.1
F B ROOFING SUPPLY INC	REDDING	374740	11-06-93	7109, 7113, 7115, 7159, 7097, 7098, 7121.5
FAROL & ASSOCIATES	CARSON	465866	11-12-93	7107, 7113, 7115, 7083, 7159, 7097, 7098, 7121.5
FOUR POINT CONTRACTORS	RIVERSIDE	459732	10-29-93	7090.1
FRIGERIO GEORGE A JR	BURBANK	317653	11-01-93	7085.6
FRONTIER PACIFIC CONSTRUCTION CORPORATION	AGOURA	399249	09-30-93	7098, 7122.5
G S M PAVING	NORTH HIGHLANDS	530126	10-30-93	7109, 7110, 7113, 7115, 7030, 7159, 7121, 7121.5
GARCIA METAL FABRICATORS	SAN FRANCISCO	577826	11-10-93	7090.1
GEORGE'S BUILDING & REPAIRS	WILLIAMS	544581	11-02-93	7090.1
GIBBONS FERGUSON CO	ROCKLIN	630887	11-10-93	7090.1
GILARDI CONSTRUCTION	WHITETHORNE	267495	11-10-93	7090.1
GOLDEN WEST POOLS	NEWBURY PARK	300051	10-21-93	7109, 7113, 7115, 7030, 7167(D)(F)(G)(I), 7121, 7117.5
GOLDEN WEST POOLS INC	NEWBURY PARK	493169	10-21-93	7121, 7097, 7098
GOLOBE GUS PAVING	PERRIS	511586	10-30-93	7098
GOMEZ MARIO	SAN JOSE	543647	09-03-93	7090.1
GOULDEN INDUSTRIES	SAN JOSE	509931	09-22-93	7090.1
GREEN VENTURES	PACIFIC PALISADES	383045	12-13-93	7085.6
GREENLIN VERNON P	PARADISE	562147	11-30-93	7090.1
HAUSKENS NED ALBERT DBA MATRIX	LAFAYETTE	288607	10-19-93	7090.1
HERITAGE BUILDERS	SAN JOSE	424592	09-25-93	7122.5, 7121.5, 7097, 7098
HERNANDEZ DANIEL ELIAS	MODESTO	368295	11-10-93	7090.1
HOSKOLD CONSTRUCTION & SUPPLY INC	SAN FRANCISCO	378542	09-30-93	7107, 7108, 7113, 7115, 7159, 7116, 7121.5
HUB CITIES HOME IMPROVEMENT CENTER	LYNWOOD	501609	10-04-93	7085.6
HUNTER ROOFING	WOODLAND	468517	11-10-93	7090.1
INNOVATIVE RHODES TO CONSTRUCTION	SACRAMENTO	597752	11-10-93	7090.1
J C CONSTRUCTION	CONCORD	494368	09-30-93	7090.1
J & J CONSTRUCTION	FONTANA	386591	10-08-93	7090.1
JIMENEZ ROOFING	LOS ANGELES	414467	10-13-93	7090.1
K & L ROOFING	BELFLOWER	570432	12-22-93	7109A, 7109B, 7113, 7097, 7098, 7121.5
KIENHOLZ THOMAS	CAPITOLA	505570	11-19-93	7085.6
KITCHENS BY VONER	PASADENA	581478	12-15-93	7085.6
KOSKINAS JAMES G BUILDER	PLEASANT HILL	483672	11-02-93	7090.1
KROL DOUG CONSTRUCTION GENERAL CONT.	SANTA BARBARA	494370	09-27-93	7090.1
LEIGH BRIGGS CONSTRUCTION	POWAY	340745	10-29-93	7090.1
LINDSEY ROBERT G II	NEWPORT BEACH	334772	10-07-93	7090.1
M R L BUILDERS	PALMDALE	452811	09-27-93	7107, 7113, 7121
M WARNER ENTERPRISES	SACRAMENTO	612239	11-10-93	7090.1
MANGOLA DAVID ALLEN	AGOURA	316551	09-30-93	7098, 7122.5
DBA FRONTIER CONSTRUCTION AND PAVING				
MANGOLA DAVID DBA PARADISE CONSTRUCTION AND DEVELOPMENT CO	AGOURA	349564	09-30-93	7107, 7109, 7110, 7113, 7115, 7030, 7159, 7116, 7117(A), 7121.5
MAZOR DAVID	NORTHBRIDGE	506512	10-30-93	7107, 7109, 7113, 7114, 7115, 7028, 7121.5
MC NAUGHTON DAN DBA D M CONSTRUCTION	DUBLIN	332814	10-15-93	7107, 7109, 7113, 7115, 7159, 7116, 7117(A), 7117.6, 7120, 7097, 7098, 7121, 7121.5

[continued on page 7]

New Laws For Contractors

[continued from page 1]

licensee to continue activity in the licensed field might endanger public health and safety.

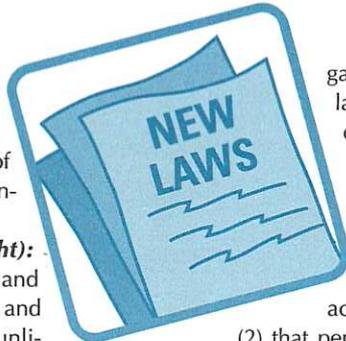
Following is a brief summary of five major new laws affecting contractors as of January 1, 1994:

Senate Bill 148 (Boatwright): raises most license application and renewal fees by from \$25 to \$100 and provides funds for a statewide unlicensed activity program (see "License fee increases," p. 2, and "The Registrar's Corner," p. 1).

SB 574 (Boatwright): raises the amount of a contractor's license bond as well as the bond of qualifying individual from \$5,000 to \$7,500. It also increases from \$1,500 to \$2,500 the amount that can be recovered on a license bond through small claims court. (The \$10,000 bond for swimming pool contractors was not affected by this legislation.)

Current licensees need not increase their license bonds to \$7,500 until they renew their licenses, but qualifier's bonds must be upgraded to \$7,500 immediately. Qualifiers should take out a new bond of qualifying individual for \$7,500 or submit a rider upgrading their current bond to that amount effective January 1, 1994. Failure to do so could cause your license to be suspended retroactively to the beginning of this year.

SB 842 (Presley): will allow the CSLB and other boards to issue an interim order suspending a license by showing: (1) that a licensee has en-



gaged in violations of the code or has been convicted of a crime related to a licensed activity; and

(2) that permitting the licensee to continue in his or her licensed activity would endanger the public health, safety or welfare. The Board must give the licensee 15 day's notice of a hearing on the petition for the interim suspension unless it appears that serious injury to the public would result before the matter could be heard. If a suspension order is issued without the 15-day notice, the licensee is entitled to a hearing within 20 days. An accusation against the licensee must be filed within 15 days of a suspension order.

Assembly Bill 427 (Frazee): allows a contractor who is not certified for hazardous substance removal to bid for the installation or removal of underground storage tanks as long as the work is actually performed by a properly certified contractor.

AB 628 (Frazee): clarifies Section 7031 of the Business and Professions Code by stating that the burden of proof for establishing licensure in civil actions for compensation is on the licensee. This measure was sponsored by the Contractors State License Board. ●

Board Chooses New Chairman, Adds Nine New Members

[continued from page 1]

New Board members

The Contractors State License Board has picked up eight new members and one reappointment since mid-1992. They are:

Robert "Bob" Alvarado, appointed August 31, 1993, as a public member representing labor. He is a business representative with the United Brotherhood of Carpenters & Joiners of America and lives in Martinez.

Nettie Becker, a public member appointed July 30, 1992, is president of Nettie Becker Escrow, Inc., in Beverly Hills.

John Chalker, a public member appointed August 3, 1992, by the Assembly, is a vice president and senior financial consultant with Merrill Lynch & Co. in San Diego.

Sharon Kowitz, a specialty contractor member and president and owner of Kennison Inc. in Huntington Beach, was appointed February 17, 1993.

Robert "Bob" Laurie was appointed as a public member July 30, 1992. A partner in the law firm of Laurie,

Maloney and Wheatley, he lives in Cameron Park near Sacramento.

David Lucchetti, a specialty contractor member and president and chief executive officer of Pacific Coast Building Products in Sacramento, was appointed October 27, 1993.

Nina Tate, president of Nationwide Construction Co. Inc. of Paramount, was appointed a B contractor member July 30, 1992.

Sun Wong, appointed as a public member June 21, 1993, owns the Luau Gardens restaurants and the Rage Nightclub in Sacramento.

Paul Petersen of San Mateo is owner and president of Whitecliff Co. Inc. and a B contractor member. Initially appointed August 1, 1991, he resigned March 26, 1992, and was reappointed June 21, 1993.

These nine appointees, together with holdover members James Frayne, Phil Moore, Joseph Valverde and Benny Yee, constitute the current Contractors State License Board. Each member is appointed to serve a four-year term. ●

Street Addresses Now Required for All Licensees

The Contractors State License Board now requires every contractor's license application to include a business street

address as well as a residence address before any license will be issued or renewed.

Before 1994, license applicants could use a post office box number as their business address on official Board records. Unfortunately, in such cases the absence of an actual physical location for the business made it difficult for anyone attempting civil action to serve a contractor with papers.

The Board's new requirement — that every application and application renewal contain a street address as the entity's business address — is expected to remedy this situation. ●

CHANGE OF ADDRESS FORM

Please type or print in ink. Forms completed in pencil are not acceptable.

Full Business Name (as it appears on CSLB records)

License No.

New Business Mailing Address: Number/Street or P.O. Box

City

State

Zip Code

If mailing address is a P.O. Box, you must also provide the street address of the business.

Number/Street

City

State

Zip Code

I certify under penalty of perjury under the laws of the State of California to the truth and accuracy of the above information.

Signature of Owner, Partner or Officer

Date

MAIL TO: CSLB, License Modification Unit, P. O. Box 26000, Sacramento, CA 95826

CSLB Arbitration Programs Are Back on Line

Like so many other state programs, the arbitration programs initiated by the Contractors State License Board in 1988 were negatively impacted by California's recent financial woes. In fiscal year 1990-91, for example, the Board arranged for 1,621 cases to be settled by arbitration, but by FY 1992-93 the number had dropped to 223. The main reason for this decline was a lack of financial resources.

"I'm happy to report we're now back in the arbitration business," Acting CSLB Registrar Mickey Matsumoto said. "This is a service that benefits both contractors and consumers. I encourage any of you who gets into a serious dispute with any of your customers to remember this service as a way of resolving the conflict.

"We can't resolve all complaints through arbitration," he added, "but we'll deal with as many as we can."

The Board handles disputes involving present or future damages of \$5,000 or less as mandatory arbitrations. Disputes involving between \$5,000 and \$25,000 in damages are considered voluntary arbitrations.

The primary difference between the two categories is that under voluntary arbitration the procedure is voluntary for both parties, contractor as well as complainant. Under the mandatory program, arbitration is voluntary only for the complainant. Once the consumer opts for arbitration, the contractor is bound by law to participate — so long as the case qualifies.

A dispute qualifies for arbitration only if: (1) the contractor's license is in good standing; (2) the contractor has no record of prior violations; (3) the parties have not previously agreed to private arbitration of the dispute, either in their contract or otherwise; and (4) the complaint does not involve fraud or other serious legal violations. If the case does not qualify, or if the complainant or contractor (in the case of voluntary arbitration) does not agree to arbitration, the Board handles the complaint on a routine basis.

Once arbitration is completed, the arbitrator's decision is binding on both parties. Contractors who do not respond to an adverse arbitration settlement within the time specified in the award risk disciplinary action by the Board, including license suspension or revocation.

What are the advantages of arbitration? One big advantage is speed: Most disputes can be resolved in about 120 days. Another is that it takes place in an

informal setting before experts trained in construction matters (most arbitrators used by the CSLB are experienced in construction and trained to resolve such disputes). Another is the availability of a Board-appointed expert witness to assist in the procedure. It can also help that the decision is binding and can be enforced in court.

A contractor can avoid having his or her license suspended or revoked by complying with the award in a timely fashion. He or she can also avoid having the complaint become a part of the public record.

For the consumer, if the contractor fails to comply with the award, the consumer has immediate recourse to the

CSLB for disciplinary action against the contractor.

The Board's arbitration programs are not the solution to all consumer-contractor disputes, but they can provide timely relief in many cases where other forms of mediation have failed.

[continued from page 5]

Licenses Revoked

NAME/STYLE	CITY	LICENSE#	EFFECTIVE DATE	VIOLATION CONTRACTORS LAW
MID-VALLEY CONCRETE CONSTRUCTION	ELK GROVE	349184	10-23-93	7115, 7110, 7071.11, 7097, 7098, 7121, 7121.5
MORENO'S CONSTRUCTION COMPANY	SAN DIEGO	607152	09-01-93	7085.6
NORTH STATE POOLS	ANDERSON	564638	10-08-93	7109, 7113, 7097, 7098, 7121, 7121.5, 7090.1
ON CENTER CONSTRUCTION	CASTAIC	576393	10-26-93	7090.1
P C B INC	SAN FRANCISCO	636571	10-22-93	7098
P & T CONSTRUCTION CO	LOS ANGELES	507733	10-26-93	7090.1
PACIFIC BUILDING ASSOCIATES INC	SAN FRANCISCO	475190	10-22-93	7110, 7112, 7113, 7115, 7018.5, 7159, 7116, 7119, 7154
PACIFIC CERAMICS	NORTH HOLLYWOOD	579617	10-21-93	7085.6
PAPP MIKE ROOFING	TIBURON	580177	09-22-93	7090.1
PENROSE MICHAEL JAMES	SACRAMENTO	570474	11-19-93	7109, 7116
PIERCE CONSTRUCTION	LA PUENTE	330918	10-25-93	7098, 7121
PIPELINE CONNECTION INC	HIGHLAND	606837	11-19-93	7097, 7098
PMC CONSTRUCTION COMPANY INC	SACRAMENTO	611269	11-27-93	7097, 7098, 7121, 7121.5
POCH ALEX F	RANCHO MIRAGE	267676	11-19-93	7097, 7098
PREFERRED ENVIRONMENTAL SERVICES	LA VERNE	573040	09-02-93	7107, 7109, 7110, 7113, 7115, 7159, 7116, 7097, 7117(A), 7098, 7121, 7121.5
PROFESSIONAL MANAGEMENT & CONT.	TUSTIN	494927	09-16-93	7090.1
QUALITY CREATIONS	CANOGA PARK	550013	10-10-93	7109, 7113, 7115, 7028, 7030, 7030.5, 7159, 7116, 7097, 7098, 7121, 7121.5
QUIGLEY DENNIS CONSTRUCTION	GROVELAND	539467	11-06-93	7107, 7113, 7115, 7159, 7120, 7071.11, 7097, 7098, 7121, 7121.5
R D CONSTRUCTION	SACRAMENTO	400698	9-30-93	7107, 7113, 7116, 7083.1, 7121.5
R D H CONSTRUCTION	CITRUS HEIGHTS	587992	09-03-93	7090.1
R P A & SONS	SAN JOSE	526371	11-10-93	7090.1
RAN-CAR ROOFING	SUNNYVALE	502833	12-10-93	7107, 7109, 7113, 7115, 7159, 7120, 7121
RED HAWK DEVELOPMENT	HEALDSBURG	578098	09-30-93	7090.1
RENNICK & SONS PLUMBING	HEMET	472555	11-19-93	7110, 7115, 7018.5, 7030, 7159, 7116, 7121, 7121.5, 7154, 7116
RICE JIM PLUMBING INC	CHATSWORTH	533197	12-13-93	7085.6
RJC CONSTRUCTION	WHITTIER	583683	11-24-93	7109, 7110, 7113, 7114, 7115, 7159, 7117, 7121.5
RUSH CREEK WOODWORKS	NEVADA CITY	455745	11-02-93	7090.1
S A S CONSTRUCTION CO	GRANADA HILLS	802115	09-30-93	7085.6
SACRAMENTO VALLEY CONSTRUCTION CLEANUP INC	SACRAMENTO	611755	11-27-93	7097, 7098, 7121, 7121.5
SACRED MOUNTAIN CONSTRUCTION CO	CORTE MADERA	570492	10-21-93	7085.6
SACUY CONSTRUCTION	LONG BEACH	558830	10-25-93	7109, 7113, 7115, 7030, 7159, 7116, 7119, 7121, 7121.5
SALAMANCA HERBERTH HANS	SANTA MARIA	597912	10-15-93	7107, 7108, 7109, 7113, 7097, 7098, 7115, 7159, 7117.6, 7121, 7121.5
SALAMANCA & SON CONST. & SUPPLY INC	SANTA MARIA	622604	10-15-93	7097, 7098, 7121.5
SCRAPPERS THE	MARTINEZ	569753	09-22-93	7090.1
SIMPSON MICHAEL CRAIG	GRASS VALLEY	594500	11-30-93	7090.1
SOUTH COAST LUBMER PRODUCTS INC	ORANGE	494564	09-30-93	7121.5, 7122.5
DBA DESIGN BUILDERS				
SOUTH PACIFIC SIGNS	WEST SACRAMENTO	537498	09-03-93	7090.1
STALLION ENGINEERING	CORONA	362727	09-25-93	7097, 7098, 7121.5, 7122.5
STALLION PIPELINE	CORONA	492077	09-25-93	7107, 7109, 7113, 7097, 7098, 7121, 7121.5, 7122.5
STANKO GUS PAVING	BRENTWOOD	511593	10-30-93	7098
STANLEY MARTIN ROOFER	PITTSBURG	567996	09-22-93	7090.1
STEVEN CHUBBIC	ENCINITAS	527963	10-25-93	7122.5, 7098
SULLIVAN INDUSTRIES INC	VALLEJO	485570	12-22-93	7109, 7113, 7121.5
SWEENEY LINDA	SANTA CLARA	602142	11-10-93	7112
SWEENEY LINDA ENTERPRISES INC	SANTA CLARA	631378	11-10-93	7098
SWEZEY RANDY L	SANTA CRUZ	358384	10-10-93	7110, 7115, 7159, 7116, 7097, 7098, 7121, 7121.5
T N T CONSTRUCTION	SHERMAN OAKS	491533	10-15-93	7107, 7109(A), 7113, 7115, 7030, 7159, 7097, 7098, 7121, 7121.5
TABLER ROBERT CONSTRUCTION	SAN JOSE	608654	11-02-93	7090.1
TEAS MENDOZA CONCRETE CONSTRUCTION	VICTORVILLE	584037	09-01-93	7085.6
TRUCKNER RICHARD PAUL	BRISBANE	565897	09-22-93	7090.1
U-B CONTRACTOR	SAN JUAN CAPISTRANO	590698	10-22-93	7106, 7121, 7121.5
UNITED ASSOCIATED BUILDERS INC	SAN FRANCISCO	630458	10-22-93	7098
UP-RIGHT BUILDERS	SACRAMENTO	571938	11-02-93	7090.1
URBAN WEST CONSTRUCTION COMPANY	SANTA ANA	347174	09-30-93	7083, 7097, 7098, 7108, 7109(A)(B), 7110, 7116, 7121.5
V E E CORPORATION	HESPERIA	584028	9-18-93	7085.6
VAI FOKETI CONCRETE CONSTRUCTION	OAKLAND	570826	09-22-93	7090.1
WARNER M ENTERPRISES	SACRAMENTO	612239	12-22-93	7107, 7109, 7113, 7115, 7159, 7030, 7097, 7098, 7121.5
WEST COAST ELECTRIC ZIENCIUK ANDREW	VAN NUYS	445875	10-26-93	7090.1
WESTERN ELECTRICAL SYSTEMS TECHNOLOGY	COTTONWOOD	571557	10-19-93	7090.1
WILLINGHAM CORPORATION	GERMANTOWN TN	417024	09-09-93	7090.1
WILSON CECIL	SUNLAND	533618	11-01-93	7090.1
WOLFS WOODWORK	CARMICHAEL	573179	10-01-93	7109, 7113
YERKES CONSTRUCTION INC	PASO ROBLES	479958	09-09-93	7090.1

Registrar's Corner

[continued from page 1]

These stings were very popular with Southern California television stations. They show the public that the underground economy is being monitored and that consumers and legitimate businesses are being protected.

Sweeps by Unlicensed Activity Unit investigators are generally conducted by teams in areas with high concentrations of complaints from local agencies, trade associations and labor organizations. Several sweeps have taken place in the wake of Southern California's floods, fires, riots and other disasters, after large numbers of unlicensed contractors moved in to take advantage of victims' misfortune. Many suspects arrested in these circumstances face sentences of up to three years in prison and/or \$10,000 in fines because of the law (Business and Professions Code section 7028.16) that upgrades penalties for violations in the area of a state or national disaster to the felony level.

It gives me great pleasure to announce that, because of the fee increases enacted by the Legislature last year, as

of 1994 these Unlicensed Activity Units are now operating statewide. I further expect their effectiveness to be considerably enhanced through collaboration with the Joint Enforcement Strike Force created last October when Governor Wilson signed Executive Order W-66-93 (see story on p. 2). Representatives from the Labor Commissioner's Office, the Employment Development Department and the Franchise Tax Board are also expected to participate in UAU enforcement activities.

No single program will completely rid us of the problems caused by unlicensed contractors, but this aggressive approach by our UAUs is a giant step in the right direction. In my 29 years with the Board I do not believe I have seen a regulatory program that will benefit the legitimate contractor more than this statewide expansion of the Unlicensed Activity Unit. And it could not have come at a more opportune time, given the economic conditions that still exist in California. ●

Dave Phillips: In Memoriam

[continued from page 1]

Dave established a close network of friends and associates during his climb to success. Legislators, building officials, heads of local governments, industry associations, trade unionists and others learned to rely on him for assistance. During his days as southern regional deputy, he was fondly referred to as the registrar for Southern California.

By any measure Dave was a workaholic. He received calls from Board members, legislators and others on weekends and evenings. He also liked to keep in touch with the construction industry, so he always made time to attend trade shows and trade association and union meetings.

Dave was also active in consumer issues. He personally attended consumer workshops, forums and conferences to educate consumers on how to avoid construction-related problems.

Dave's final working moments were spent at a media forum on the do's and don'ts for consumers following the Northridge earthquake. The forum, which was taped for rebroadcast in the Los Angeles area, was held in Van Nuys on a Friday evening following two hectic days at a Board meeting in San Diego,

but Dave insisted on giving it his personal attention. That was Dave.

We can all find some comfort in knowing that Dave went out on top. He was responsible for many improvements in the Board during his tenure as registrar. He guided the agency through critical times before the Legislature and helped provide for the future financial stability of the organization by obtaining approval for a fee bill in a climate of extreme fiscal restraint.

But perhaps his proudest accomplishment was the establishment of Unlicensed Activity Units throughout the state. Always an advocate for fairness, Dave felt strongly that licensed contractors should be able to compete on a "level playing field." His final appearance before the Board highlighted the accomplishments of these units following the Southern California fires.

Many of you may have your own special recollections of working with Dave. If you would care to share any of these with Dave's family, please direct them, in writing, to Joyce May, Contractors State License Board, 9835 Goethe Road, Sacramento, CA 95827. ●

California Licensed
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