

# CALIFORNIA LICENSED CONTRACTOR

STEPHEN P. SANDS, REGISTRAR

SPRING 2005

ARNOLD SCHWARZENEGGER, GOVERNOR

## CHAIRMAN'S COLUMN

### 2004 Accomplishments Reflect Board's Continued Improvement

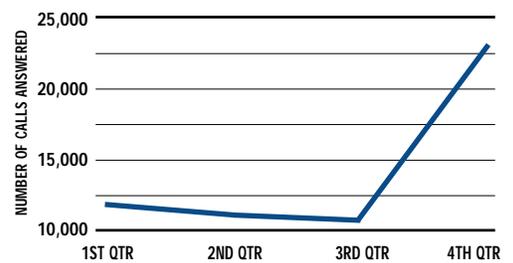
By Larry Booth, Board Chair

Over the past three years, this newsletter has highlighted the challenges faced by the Board because of budget and staff cuts. That loss of resources, combined with record workloads, created licensing backlogs and forced staff off Call Center phones to process applications.

The good news is that in 2004 CSLB turned a corner. We eliminated licensing function backlogs and were able to increase Call Center staffing. CSLB is now answering twice as many calls as in 2004. Enforcement timelines continued to improve and new partnering opportunities were initiated with other agencies to maximize CSLB's outreach and effectiveness.

As we move forward to serve you in 2005, we are prepared to meet the many challenges ahead. CSLB will manage the increasing workloads (exam applications have increased by 60 percent over the previous five years) with a bare-bones staff reduced by 20 percent. The Board remains committed to fully implementing an applicant fingerprinting program, increasing phone services and cracking down on unlicensed activity.

#### 2004 Calls Answered by Call Center



Some of the highlights of our 2004 accomplishments include:

- Regulating approximately 291,500 licenses;
- Scheduling 83,865 license exams;
- Issuing approximately 21,500 new licenses;
- Opening 19,566 complaints and closing 20,342;
- Negotiating more than \$14 million restitution for homeowners.
- Reaching more than 32 million people with its consumer protection and enforcement messages.

With your assistance and support, we look forward to a successful year.

### Board Begins Phase II of New Fingerprint Program

On April 1, 2005, the Contractors State License Board (CSLB) began Phase II of its new fingerprinting program. Beginning on that date, current licensees who apply for additional classifications, as well as each officer, partner, owner, responsible managing employee and home improvement salespersons must provide fingerprints whenever an application is submitted for a license, registration, or to change an officer on an existing corporate license. In Phase I of the program, which started January 1, fingerprints are required for all personnel listed on an application if the qualifier is required to take an exam.

Since the fingerprint program is still new, many have questions on how it works. Answers to the most commonly asked questions are below. For more information on the new requirements, please visit the CSLB Web site: [www.cslb.ca.gov](http://www.cslb.ca.gov) or call (800) 321-CSLB (2752).

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### Bill Introduced to Delay Changes to Home Improvement Contract Laws

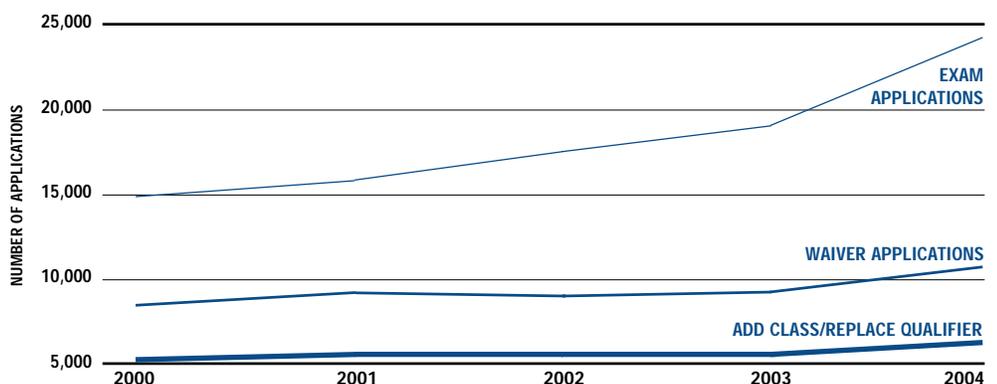
It appears that major revisions to the laws regarding Home Improvement Contracts, enacted last year under Senate Bill (SB) 30, will be postponed until January 1, 2006. The delay would be the result of a bill recently introduced by the state legislature.

The intent of SB 30 was to establish a separate contract and dollar threshold for the Service and Repair industry, and to make Home Improvement contracts easier to draft and understand.

Despite making good progress, some refinements are still needed before SB 30 can be implemented. Therefore, the CSLB will make no changes to the

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#### Increase in Licensing Applications Received by CSLB





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**State of California**

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BOARD BRIEFS

**CSLB Welcomes Three New Board Members**

**John O'Rourke Appointed to Second Term; Kirkbride and Zampa Join CSLB**

In January, John O'Rourke returned to the Board. Then in February, CSLB welcomed its newest members, Louise Kirkbride and Don Zampa. The current term for all three public members continues until June 2008.



*John O'Rourke*

On December 2, 2004, Assembly Speaker Fabian Nuñez announced Mr. O'Rourke's appointment. Mr. O'Rourke is a Business Manager for the International Brotherhood of Electrical Workers Local 6 and has earned his Journeyman Wireman Certificate. This is the second time he has served CSLB as a Board member. His first term began in 2001 when then-Governor Gray Davis appointed him as a labor representative.

On February 1, 2005, Governor Arnold Schwarzenegger appointed Louise Kirkbride and Donald Zampa to the Board. Ms. Kirkbride, of Monte Sereno, founded and served as Chief Executive Officer of Broad Daylight, a company that facilitated communications between businesses and their customers through



*Louise Kirkbride*

the Internet. Before that, she founded Answer Systems, a company designed to improve business-customer communications through help-desk automation. Ms. Kirkbride earned a bachelor's and master's degree in electrical engineering from the California Institute of Technology, where she was a member of the school's first class to include women. She currently serves as a Trustee of CalTech.



*Donald Zampa*

Donald Zampa, of Benicia, has worked for Iron Workers Union Local 378 since 1978 where he currently serves as Business Manager. Mr. Zampa comes from a family with a long history in the construction industry. The United States' newest major suspension bridge, the Alfred Zampa Memorial Bridge, which crosses the Carquinez Strait in the San Francisco Bay Area, is named after Mr. Zampa's grandfather. Alfred Zampa was an ironworker who survived a fall from the Golden Gate Bridge during its construction back in the 1930s.

**CSLB Reaches Reciprocity Agreement with Three States**

CSLB has entered into formal written reciprocity agreements with the contractor licensing agencies of Arizona, Nevada and Utah. Because the Board believes reciprocity among respective licensing programs is a valuable benefit, it is offering reciprocity in *specified classifications* where the scopes of practice and licensing requirements for certain classifications are either identical or fundamentally indistinguishable in each state.

The reciprocity requirements are the same for all three states:

- The contractor must be applying for a license in a classification that appears on the Reciprocal Classifications list, available online at [www.cslb.ca.gov](http://www.cslb.ca.gov) under "Contractors" and "Applicants;"
- The contractor must have held an

active license in good standing in one of the reciprocal states for the previous five years; and

- The contractor must submit a "Request for Verification of License" completed by the licensing entity under which he or she is already licensed.

If a California contractor wants to apply for reciprocity in another state, he or she must ask CSLB to complete and forward a Request for Verification of License form to the reciprocal licensing agency. The form can be found online at [www.cslb.ca.gov](http://www.cslb.ca.gov).

If an applicant is granted reciprocity, the reciprocating agency *may* waive the trade portion of the exam, but retains the right to require the exam. The applicant will still be required to take the business law portion of the exam.

## Protect Yourself from Exposure to this Job Hazard



You'll have it made in the shade if you remember the warning signs and sun safety tips described below:

### The Tell-Tale Signs

What are the signs and symptoms of skin cancer? Tell your doctor if you have any of the following symptoms:

- Any change in the size or color of a mole or new growth;
- Scaliness, oozing, bleeding, or change in a bump or nodule;
- The spread of color past the edge of a mole or mark; or
- A change in sensation, itchiness, tenderness, or pain associated with an abnormal skin growth.

### Sun Safety Tips

Can skin cancer be prevented? The best ways to lower the risk of non-melanoma skin cancer is to practice sun safety:

- Wear a hat with a wide brim;
- Wear sunglasses that block at least 99% of UV rays;
- Wear protective clothing that covers up as much skin as possible when you are out in the sun;
- Lather on the sunscreen with an SPF of 15 or higher. Use sunscreen even on hazy or overcast days. Reapply as needed; and
- Spend lunch and break times in the shade.

**W**orkers in the construction trades are particularly vulnerable to the most common form of cancer in the United States. They are among the more than one million people who will be diagnosed with skin cancer this year. Skin cancer accounts for nearly half of all cancers that occur, and the chief culprit is sun exposure.

The California Department of Health Services, Skin Cancer Prevention Program, is offering **free** sun safety kits for use at construction sites or offices. The kits include fact sheets, posters, brochures, UV-count charts, video, notepads and stickers. A kit can be requested by contacting the SCPP at [amanthe@dhs.ca.gov](mailto:amanthe@dhs.ca.gov) or by calling (916) 449-5393. One kit will serve an entire work site.

Contractors and safety supervisors can also download skin cancer prevention information at: [www.dhs.ca.gov/ps/cdic/cpns/skin/skin\\_resources.htm](http://www.dhs.ca.gov/ps/cdic/cpns/skin/skin_resources.htm).

## Board Begins Phase II of New Fingerprint Program

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### Who is not affected?

The new program does not affect two groups of licensees. First, those already on a current or renewable California contractor's license who do not apply for any changes to their license. And, second, current licensees who apply for a joint venture license.

### How can applicants get a fingerprint packet?

When it receives an application, CSLB will send the applicant a fingerprint packet and complete instructions.

### Where can applicants get fingerprints taken?

Fingerprint services are available at most local police departments, sheriff's offices or any public applicant Live Scan station. For the Live Scan locations and hours of operation throughout the state, visit: <http://caag.state.ca.us/fingerprints/publications/contact.pdf>. Please note that fees for the service vary.

### Why should applicants use Live Scan?

The CSLB strongly encourages all applicants who are required to submit fingerprints, to use the Live Scan system. At this time the fingerprint requirement has not delayed the application process for individuals who submit their prints electronically and do not have a criminal history. Using the old "fingerprint card" system could delay an application by three to six months or more.

### How are the fingerprints used?

The Department of Justice (DOJ) uses the fingerprint information to conduct a criminal background check on the applicant. Having a criminal history does not automatically disqualify an applicant from getting a contractor's license.



## B Contractors: Don't Dive into Pool & Spa Contracts

Only contractors holding a license in the C-53 (Swimming Pools & Spas) or A (General Engineering) classifications are allowed to contract as a prime or subcontractor for the installation, repair or maintenance of swimming pools or spas without limitations.

Under current law, B contractors cannot contract solely for the installation, repair or maintenance of swimming pools or spas unless:

- The B licensee also holds an A or C-53 classification on the license;
- The B licensee subcontracts the entire project to a C-53 licensee; or
- The swimming pool or spa is part of a building construction, remodel or addition project.

While there may be other conditions, the information stated above represents the most common acceptable practices of a B licensee in relation to swimming pool and spa projects. Finally, although under limited circumstances, B licensees may enter into swimming pool or spa-related contracts, they cannot place advertisements that are exclusive to that type of work, unless they also hold a C-53 or A license.



## Every Good Contractor Reads the Blueprint

Do you know someone who wants to become a licensed contractor? If so, they should get a copy of the new 2005 Edition of the *Blueprint for Becoming a California Licensed Contractor*. The 28-page booklet is a must read for anyone who wants to get their contractor's license. You can download the booklet or order a copy on the Board's Web site: [www.cslb.ca.gov](http://www.cslb.ca.gov). Just click on "Services and Publications," then click on "Guides and Pamphlets."

LEGISLATION

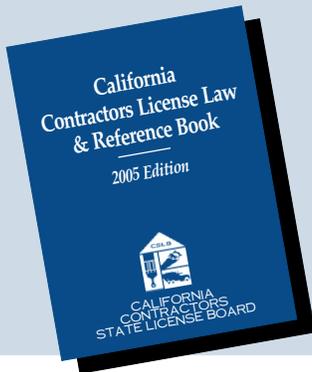
## Major Changes to California Contractor Law Effective January 1, 2005

### All laws highlighted in new 2005 California Contractors License Law & Reference Book



The beginning of 2005 meant new laws affecting California contractors took effect. The following is a brief synopsis of some of the more significant changes. You can find a

complete listing of all the new contractor laws on the CSLB Web site at [www.cslb.ca.gov](http://www.cslb.ca.gov), as well as an online version of the *California Contractors License Law and Reference Book*. (To order a copy of the book, see the article below.)



### Business & Professions Code Changes

**7028.1** Clarifies that all contractors, whether licensed or not, are subject to discipline for asbestos-related violations.

**7048** Eliminates the legal requirement that unlicensed contractors provide homeowners a written "Unlicensed Disclosure" notice for works of improvement under \$500, making it easier for CSLB to enforce unlicensed activity.

**7068** Eliminates a prior law that prevented anyone convicted of contracting without a license from applying for a license for one year from the date of the conviction.

**7069.1** Gives CSLB the authority to request proof of the disposition of the arrest when a licensee or registrant has been arrested, and requires the licensee or registrant to provide this proof within 90 days of the disposition or be subject to disciplinary action for failing to comply.

**7085** Expands the type of cases eligible for the arbitration program to include all works of improvement, not just home improvements as defined under Section 7151.

**7090.1** Reduces the reinstatement period for suspended licensees who have failed to comply with the terms of a citation from one year to 90 days. After the 90-day suspension period, the license will be revoked by operation of law.

**7137** Eliminates the delinquent fee grace period for licensees who fail to renew their license timely. All contractors whose license expires on or after January 31, 2005 will be subject to the delinquent fee upon expiration of the license.

### Government Code Change

**4216** Anyone planning to excavate in California is required to contact the appropriate regional notification center at least two working days before beginning to excavate. Amendments to Section 4216 include but are not limited to:

- Requires utilities only to mark their own facilities;
- Changes the list of persons exempt from the notification requirement;
- Clarifies the steps for compliance;
- Requires each contractor to have his or her own individual USA ticket; and
- Extends the validity of identification (ticket) numbers issued by the regional center to 28 days

### Penal Code Change

**802** Expands the statute of limitations for specified violations of the Contractors License Law, including the Home Improvement provisions.

## 2005 Contractors License Law & Reference Book Now in Print and Online

CSLB's new 2005 *California Contractors License Law & Reference Book* containing all contractor license laws and regulations in effect January 1, 2005, is available for purchase or to view online by visiting [www.cslb.ca.gov](http://www.cslb.ca.gov).

The book, which comes with a CD-ROM, sells for \$14.50 plus \$3.60 shipping and handling. Applicable sales tax will also be added. You can get the exact sales tax amount for your area by calling the toll-free number below. For your convenience, major credit cards are accepted.

There are four ways to order your new law book and CD-ROM set. However you choose to order, be sure to specify "California Contractors:"

- Call (800) 562-1197;
- Fax orders to (800) 828-8341;
- Place your order online at [www.lexis.com](http://www.lexis.com). Click on "LexisNexis Bookstore" and type "California Contractors" in the search box; or
- Order by mail from: Order Fulfillment, LexisNexis, 1275 Broadway, Albany NY 12214-4070. When ordering by mail, send a check or money order payable to "Matthew Bender & Company, Inc." and include the recipient's name and street address. Orders are shipped by carrier and cannot be delivered to a post office box.

To view the book online, visit [www.cslb.ca.gov](http://www.cslb.ca.gov) and click on "Laws and

Regulations." Please note that this book is **not** available for sale at any Contractors State License Board office.

### Bill Introduced to Delay Changes to Home Improvement Contract Laws

*(Continued from page 1)*

enforcement of the Home Improvement Laws under its jurisdiction during 2005, pending the outcome of the legislative action. All contracts written for home improvements during 2005, including those regarding Service and Repair, must comply with the existing Home Improvement contract laws that fall under Article 10 of the Business and Professions Code, beginning with section 7150.

## CSLB Reaches Out to Warn Californians About Scams



CSLB Public Affairs Chief Rick Lopes is interviewed by KCRA-TV's Deidre Fitzpatrick. For 14 hours on March 3, CSLB staffed the station's call center, answering almost 600 calls on home improvement issues, including the importance of hiring only licensed contractors.



A Los Angeles Police Detective shares important information and interacts with the audience at a Senior Scam Stopper sponsored by the CSLB and AARP on February 18 in South Los Angeles. Senior Scam Stopper events are held throughout the year all around the state.

## Use Official Forms to Report License Information Changes

As of January 1, 2005, all contractor license information changes such as changes to the business name or address, personnel, or exemptions to the qualifying individual bond, etc. must be submitted on the appropriate CSLB form as "prescribed by the Registrar." The requirement is a result of the passage of SB 1914 last fall, which included several changes to licensing laws. The forms for various changes are available on the Board's Web site at [www.cslb.ca.gov](http://www.cslb.ca.gov) or by calling (800) 321-CSLB (2752).

If a change is not submitted on the appropriate form, it will be returned to the licensee with the correct form for the licensee to resubmit.

A licensee's failure to notify the registrar of any license information change within 90 days is grounds for disciplinary action and will cause the change to be effective the date the written notification is received at the Board's headquarters office, instead of the date the contractor made the change.

## Industry Bulletins Keep Everyone Informed

CSLB has introduced a new service to help ensure contractors are fully informed about changes in the laws, rules and regulations affecting the industry. Industry Bulletins are now emailed to trade associations and organizations, building departments and interested parties. The Board has compiled a list of more than 250 people and organizations.

If you are part of an organization that does not receive these bulletins, but would like to, please send an operating email address to Rick Lopes, Chief of Public Affairs at [rlopes@dca.cslb.ca.gov](mailto:rlopes@dca.cslb.ca.gov).

Industry bulletins can also be viewed in the Newsroom on the CSLB Web site at [www.cslb.ca.gov](http://www.cslb.ca.gov). Just click on "News and Events," then click on "Newsroom."

A number of bulletins have been released so far, covering advertising, new Board members, 2004 accomplishments, new laws, and the fingerprint program.

## Cost Index Baseline for Type B Construction Adjusted

The Cost Index Baseline for Type B Construction has been adjusted effective March 1 using the adjusted Class B Construction Cost Index of 1.68 as established by the State Allocation Board at its annual meeting in January 2005. The annual adjustment is required by the provisions of Government Code Sections 66452.6(a).

For more information, visit the department of General Service's Web site, [www.opsc.dgs.ca.gov/resource/information/ci](http://www.opsc.dgs.ca.gov/resource/information/ci) or contact Project Manager Jack Myers at (916) 445-2765 or [jmyers@dgs.ca.gov](mailto:jmyers@dgs.ca.gov).

## Air Quality Regulation for Construction Equipment

The California Air Resources Board (ARB) is developing a control measure to reduce diesel particulate matter emissions from in-use (existing) off-road equipment. This type of equipment is used in construction, mining, and industrial operations. For more information on this measure, please visit the ARB's Web site: [www.arb.ca.gov/msprog/ordiesel/ordiesel.htm](http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm). You can also contact Ms. Jackie Johnson at [jjohnson@arb.ca.gov](mailto:jjohnson@arb.ca.gov) or (916) 323-2750.

## 16 Months Jail Time & Restitution Ordered for Unlicensed Contractor

**T**wenty years of consumer complaints caught up with Esteban Casillas in September 2004 when he received a 16-month jail sentence and was ordered to pay \$57,316 in restitution to the San Diego County homeowners he victimized. Casillas learned the hard way that each subsequent conviction for contracting without a license often carries a more severe punishment than the one before.

Throughout the years, Casillas misrepresented his brother's license number to get landscape contracts. He would typically take money from his victims and perform minimal or no work before abandoning the projects. Casillas was first cited by CSLB enforcement staff in 1985. Then, between 1990 and 2002, the Board referred 14 subsequent investigations to local prosecutors for various violations, including contracting without a license and fraudulent use of a license number.

Despite his previous citations and criminal conviction, Casillas continued his illegal contracting activities. In May 2000, he pled guilty to contracting without a license and was sentenced to 180 days in jail and five years probation. Casillas was also ordered to pay fines and restitution. Three months later in a different court, he pled guilty to fraudulent use of a license number and was sentenced to additional jail time and ordered to pay additional fines and restitution.

In 2004, two more complaints were filed against Casillas for contracting without a license and felony diversion of construction funds. He pled guilty in September 2004. This time, probation was not even offered—Casillas was immediately sent to serve a 16-month prison sentence and ordered to pay his victims \$57,316 in restitution.

### ENFORCEMENT UPDATE

## Testing & Enforcement Staff Prove Cheaters Never Win



CSLB investigators prepare to transfer Tae Wook Kang and Sam Suk Choe to the county jail after their arrest.

**B**ecause of the teamwork and dedication of CSLB's Testing and Statewide Investigative Fraud Team (SWIFT) staff, a translator and his client were recently arrested at CSLB Headquarters while in the process of cheating on a qualifying exam. The translator, Tae Wook Kang, was arrested for conspiracy, perjury and subversion of a State exam. The applicant, Sam Suk Choe, was arrested for conspiracy and subversion of a State exam. Since burglary is defined as entering a building with the intent to commit a crime, both were charged with that as well.

Before being approved to translate a license exam, translators must submit an application to the Board verifying, among other things, that they are not affiliated with the contracting industry in any way. Korean language translator Kang falsified his application when he failed to admit that he was already a qualifier on a contractors license. Despite his various

attempts to hide that fact, Testing's routine investigation revealed that he was not only a qualifier on a contractors license, but also possibly planning to help applicant Choe cheat on the exam.

Testing staff then worked with the SWIFT unit to set up a sting of sorts, by scheduling Choe for an exam. With Enforcement staff standing by, a Board translator listening to every word Kang said during the exam, and a hidden camera watching the pair's every move, it became clear that Kang was not only translating the exam for Choe, but also supplying answers to the questions.

The two were arrested on the spot. Kang has since pled no contest—the equivalent of "guilty"—to one count of theft by false pretenses. He was sentenced to 45 days in jail and three years probation. CSLB plans to take administrative action against Choe. Steps are also being taken to deny Choe's request for a license and to revoke Kang's license.

## Sacramento-Area Contractor Arrested for Obtaining Money by False Pretenses

A Contractors State License Board investigation has led to the arrest of a contractor who is charged with obtaining money by false pretenses and diversion of funds. In December, Sacramento Police arrested Ronald Duwayne Petersen, doing business as Petersen's Weathershield Roofing, inside a Federal Bankruptcy Court. Next, he will face seven felony charges in Sacramento Superior Court.

CSLB received a total of ten complaints against Petersen in one month from

August to September, 2004. In all but one case, Petersen allegedly failed to pay his suppliers for materials he used for roofing jobs on Sacramento and Placer County homes. To their surprise, the homeowners discovered they were still legally liable for payment to the supplier—even though they had paid their contractor in full—when they were notified that a mechanic's lien had been placed on their home. To avoid foreclosure, homeowners were forced to pay these mechanic's liens after

already paying Petersen for his work and the supplies.

In another case, Petersen allegedly didn't provide any service or materials, even after taking a downpayment in excess of \$20,000. The ten complaints represent a total financial loss of nearly \$55,000 for his victims.

CSLB has taken steps to revoke Petersen's license. In addition, CSLB has forwarded their investigative reports to the Bankruptcy Trustee.



Matt Kelly

## Q&A with Matt Kelly, Contractors Board Enforcement Committee Chair

*As chair of the CSLB's Enforcement Committee, Board member Matt Kelly provides leadership for the Board and CSLB staff statewide. Here are his thoughts on the challenges currently facing the Board and the industry.*

### *What do you see as the main goal of the Board's enforcement program?*

Clearly, our role is to protect consumers. It's in our legislative mandate and it drives the Board's goals and objectives. Now, we define consumers broadly. Consumers can be homeowners who hire contractors or members of the public who live or work in buildings and drive on freeways and over bridges. Consumers are also our licensees who are victimized by unlicensed persons, and even taxpayers who are cheated by the underground economy.

### *How do you define the goal of the Board's enforcement program?*

Well, the Board has actually stated that the goal is to "Reduce, eliminate or prevent unlicensed activity and unprofessional conduct that poses a threat to public health, safety and welfare." The Board does a number of things to meet that goal: First, we educate consumers to prevent problems from occurring in the first place. Next, the Board works with consumers and contractors to resolve complaints early in the process. If necessary, CSLB helps consumers with legitimate, unresolved complaints against contractors. Lastly, the Board takes serious criminal or administrative action against contractors who violate the law and cause serious harm to a consumer.

### *How is CSLB's enforcement program unique?*

The CSLB regulates California's largest industry, employing one million people, generating \$60 billion in permitted construction each year, with nearly 300,000 licensed contractors who initiate millions of transactions a year. It's a complex profession that requires a similarly complex and comprehensive regulatory scheme with professional industry-specific expertise. The Legislature has given CSLB's enforcement program a wide variety of responsibilities and tools. In addition to ensuring the people who enter the profession are competent and possess the requisite bonds and insurance, the Board also provides a number of consumer remedies that complement its investigative and disciplinary processes.

### *What are some of those remedies?*

Like all licensing Boards, CSLB needs to regulate the industry to help make sure the marketplace functions correctly. CSLB's mandate includes innovative programs to help individuals. Sometimes honest, competent contractors make mistakes. When this happens, the consumer will often just want the project fixed or their money back. The Board has a number of programs to help both contractors and consumers resolve disputes quickly:

- Our Consumer Service Representatives initially screen complaints to mediate a resolution.
- If the complaint involves present or future damages of \$7,500 or less, the Board has a mandatory arbitration program. This extremely successful program has a satisfaction rating over 90 percent.
- For complaints involving financial injuries between \$7,500 and \$50,000, the Board has a voluntary arbitration program.
- In addition, the Board has initiated a thriving on-site negotiation program that we hope to expand down the road.
- If the complaint can't be resolved at that level, the Board might provide information to the consumer about how to file a small claims court action.

Last November the California Dispute Resolution Council recognized these alternative resolution programs developed by the Board.

### *Are there any other unique aspects to the Board's enforcement program?*

Yes, we work closely with local building officials, focusing on unlicensed activity, the underground economy, and workers' compensation violations. We have partnerships with the Division of Labor Standard Enforcement, the Department of Insurance, the Employment Development Department and other state and federal agencies to work on enforcement activities involving workers' compensation fraud, tax evasion, and illegal contracting. We've taken on the role of being the leader in combating the underground construction economy that cheats California consumers and taxpayers out of hundreds of millions of dollars year after year.

### *What strengths or successes can you identify in the Board's enforcement program?*

Our staff is top-notch. They are really dedicated to fulfilling the Board's mission and helping consumers and honest contractors. Many of our investigators come from the industry. Despite losing 20 percent of our investigative team, we've shortened the time it takes us to investigate cases. We were able to get more than \$14 million in restitution for homeowners in 2004. We referred more than 1,000 non-licensee cases to District Attorney's offices last year, conducted 34 sting operations resulting in 329 misdemeanor and 21 felony arrests, and issued 1,487 non-licensee citations assessing nearly \$2 million in civil penalties. The staff has done so much with so little that we owe them a big thanks for a job well done.

### *What about challenges or weaknesses?*

Like every state agency, we have had to prioritize our limited resources. While most of the state's economy stagnated, the construction industry boomed! Since 2000, we've had a 60 percent increase in the number of applicants for contractor licenses.

As I mentioned a moment ago, our enforcement staff has been cut. We lost 58 people in 2001 and 2002, requiring us to cut back some of our unlicensed investigations. The good news is that the Schwarzenegger Administration recognizes the need to battle the underground economy and is allowing us to hire 11 investigators to address that need. Because our investigators are not paid as much as comparable employees in other state agencies, the Board struggles to recruit and keep them.

### *What's in the future?*

Our Board is fully engaged and committed to meeting our mission. The Board will continue to expand our public outreach so we can educate consumers before they get into trouble. We will continue to work as a leader in the Underground Economy Task Force in enforcing State licensing, labor, and tax laws. We're looking at new ways to partner with building departments, including providing training on unlicensed activity and workers' compensation violations. With these new initiatives, we hope to impact and deter the underground economy.

## Disciplinary Actions

September–December 2004

### Business & Professions Code Sections

The following B&P Codes may be referenced in the list of revocations:

490	Relationship of conviction of a crime to licensed activity
7018.5	Failing to provide notice to owner regarding lien provisions
7026.7	Advertising as a contractor without a license
7028	Acting in the capacity of a contractor without license
7029	Contracting as a joint venture without the required license
7029.5	Failing, as a plumbing, electrical sign or well drilling contractor, to display identification on business vehicles
7030	Failing to include in a contract the notice that contractors are licensed by the Contractors State License Board
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
7071.11	Judgment or admitted claim against bond
7083	Failing to report a change of address, namestyle, or personnel within 90 days
7085.6	Failing to comply with an arbitration award
7090.1	Failing to comply with civil penalty or "order to correct" in Registrar's citation
7097	Suspension of additional licenses
7098	Revocation of additional licenses
7099.6	Non-compliance with a final citation
7107	Abandonment of a project without legal excuse
7108	Diverted funds or property received for a specific job to other purposes
7109	Willful disregard of plans and specifications, or failing to complete the job in a good and workmanlike manner
7109.5	Violation of Safety Laws resulting in death or serious injury
7110	Willful disregard and violation of building laws
7110.1	Violating Section 206.5 of the Labor Code
7111	Failing to keep records and to make them available to a representative of the Registrar
7111.1	Refusing to or failing to cooperate with deputy in investigation
7112	Misrepresentation of a material fact on an application
7113	Failing to complete a project for the price stated in the contract
7113.5	Avoiding or settling for less than lawful obligations as a contractor through the various bankruptcy proceedings
7114	Aiding and abetting an unlicensed person
7115	Failing to comply with the Contractors' Law
7116	Committing a willful or fraudulent act as a contractor
7117	Acting as a contractor out of namestyle
7117.5	Contracting with inactive license
7118	Contracting with unlicensed person
7119	Failing to prosecute a job with diligence
7120	Failing to pay for materials or services
7121	Prohibition against associating with suspended or revoked license
7122	Participation of license in violating Contractors Law
7122.5	Responsibility of Qualifying Person for acts committed by his/her principal
7123	Conviction of a Felony in connection with construction activities
7124	A plea of nolo contendere is considered a conviction
7154	Employment of unregistered home improvement salesman
7155	Participation in violation by a home improvement salesman
7157	Model Home kickback prohibition
7159	Failing to comply with contract requirements
7161(b)	False advertising

### License Revocations

Name	City	License No.	Date	Sections Violated
1ST MECHANICAL INC	CARLSBAD	665652	9/3/04	7110, 7116
A G E GENERAL CONSTRUCTION INC	LOS ANGELES	722653	10/15/04	7116, 7117(B), 7097, 7098, 7121, 7121.5
A SPECIAL TOUCH	RICHMOND	780926	9/8/04	7071.11
AAA CONCRETE STARS	SACRAMENTO	734549	11/16/04	7097
ABA CONCRETE PARTNERSHIP	SACRAMENTO	756028	11/16/04	7097
ABEL CONSTRUCTION CO	WINTON	280802	11/5/04	7030(A, B), 7110(D), 7159(D, E, J, K, L)
ACCURATE BUILDING CONTRACTORS INC.	CLOVIS	775834	9/8/04	7071.11
ADKINS, LARRY G	MONROVIA	745505	10/25/04	7018.5, 7030(A, B), 7117(A), 7159(A, E, F, G)
AG CONSTRUCTION	LONG BEACH	762599	10/5/04	7085.6
AINZA ARSENIO JR.	CHULA VISTA	323904	9/8/04	7071.11
ALAMEDA CONSTRUCTION	ALAMEDA	461031	9/15/04	7085.6
ALAN MILLER JENSEN	CHICO	710538	11/5/04	7071.11
ALBA ELECTRIC	LAWDALE	518380	9/7/04	7085.6
ALBERT L&SCAPE CO	FONTANA	781149	11/5/04	7071.11
ALCANTAR, LORI MARIE	YORBA LINDA	808406	12/9/04	7120
ALEXANDER CARPET	AGOURA HILLS	762963	12/9/04	7109(A), 7111.1, 7113, 7117.6
ALL PRO EXTERIORS	EL CAJON	712577	11/5/04	7018.5, 7030(A, B), 7107, 7109(A), 7110, 7113, 7117.6, 7150.2(C), 7115, 7159(A, B, D, E, F, G, H, J, K, L)
ALLSTATE ROOFING	DIXON	736384	11/17/04	7085.6
ALO, MICHAEL J	OAK PARK	793700	10/25/04	7109(A), 7107, 7110, 7154, 7159(E)
ALPHA GEO SERVICES	SAN JOSE	507520	10/14/04	7085.6
AMERICAN REMODELING	ANAHEIM	706703	11/5/04	7109, 7113, 7159(B)
ANDRUES & ANDRUES DEVELOPMENT	HESPERIA	793529	11/3/04	7107, 7109(A), 7113, 7116
ANTHONY'S LANDSCAPING	VENTURA	509901	12/3/04	7085.6
AQUA DESIGN POOLS INC	ANTIOCH	788065	9/15/04	7085.6
ARRAY BUILDERS INC	YORBA LINDA	680891	10/21/04	7085.6
ARRENDALE CONSTRUCTION	SALINAS	677229	9/8/04	7109(A, B), 7107, 7113, 7159
ARTISTIC DESIGN CREATIONS, INC	WESTLAKE	791751	10/13/04	7109(A, B), 7115, 7159(D, G, J, L), 7030(A, B), 7113, 7110
AT GENERAL CONTRACTOR	DOWNEY	635800	11/11/04	7085.6
AWESOME CONCRETE	REDWOOD CITY	765927	11/16/04	7018.5, 7030(A, B), 7109(A), 7113, 7159(B, D, E, F, J, K, L)
BRC CONSTRUCTION	WILDOMAR	767898	10/25/04	7117.5(C), 7109(A), 7107, 7117.6, 7030(A, B), 7109(B), 7113, 7150.2(C), 7159(B, D, E, K, J)
BRG CONSTRUCTION	OAKLAND	759879	11/5/04	7071.11
BARABAS, DANIEL F	PISMO BEACH	564063	11/5/04	7109(A), 7107, 7113, 7117.6, 7154, 7159(B, D, E, F, G, J, K, L)
BAXLEY CONSTRUCTION CO.	JANESVILLE	650798	9/8/04	7071.11
BEST HOME IMPROVEMENTS	DANVILLE	667321	9/8/04	7107, 7018.5, 7030(A, B), 7159, 7116, 7117
BETON CONSTRUCTION	SHERMAN OAKS	552741	12/2/04	7018.5B, 7030(A, B), 7030.5, 7071.11(C), 7083, 7107, 7109(A, B), 7110, 7113, 7117(A), 7118, 7159(B, D, E, F, G, H, J, L)
BLACK DIAMOND CONSTRUCTION	YORBA LINDA	808406	12/9/04	7120
BLACK DIAMOND ENGINEERING	ESCONDIDO	744853	9/13/04	7085.6
BORING, MICHAEL	IONE	717015	10/25/04	7071.11
BREEZE AIR SYSTEMS	STOCKTON	757867	11/5/04	7071.11
BROOKS POOLS	CHICO	748400	11/5/04	7071.11
BROWN CONSTRUCTION	VALLEJO	697697	11/5/04	7071.11
BUFFUM CONSTRUCTION	ANDERSON	665193	9/22/04	7085.6
BURBANK CONSTRUCTION	SHERMAN OAKS	379130	12/9/04	7120, 7111.1, 7159(D)
BURGESS, DAVID L	ENCINO	654588	10/25/04	7107, 7030(A, B), 7111.1, 7113, 7154, 7159(C, F, G, J, L)
BURGOYNE BUILDERS	CULVER CITY	797651	9/30/04	7107, 7109(A), 7113, 7159(E, G, J, L, J), 7111.1, 7116
C2 CONSTRUCTION	MILPITAS	788158	11/23/04	7085.6
CQB LANDSCAPE	SUN CITY	513649	12/9/04	7030(A, B), 7030.5, 7030, 7109(A, B), 7110, 7113, 7116, 7117.5(B), 7117.6, 7159(A, B, C, D, E, F, G, J, K, L, H)
CAL BEST PAINTING MAINTENANCE	LOS ANGELES	783737	10/13/04	7112, 7097, 7098, 7121, 7121.5
CAL QUALITY ROOFS	CONCORD	662891	9/8/04	7109, 7108, 7159(E), 7115
CALCOAST BUILDERS	LANCASTER	800481	10/13/04	7027.1(A), 7028, 7071.11(C), 7083, 7107, 7109(A), 7111.1, 7113, 7118, 7159(E)
CALIFORNIA SHINE PAINTING	MERCED	704552	9/8/04	7071.11
CALVERT HOMES	LA QUINTA	681541	9/22/04	7109(A), 7113, 7097, 7098, 7121, 7121.5
CARTAS, ROBERT M.	RANCHO CORDOVA	361256	12/23/04	7071.11
CHATEAU CONSTRUCTION	BAKERSFIELD	454465	9/20/04	7109(A), 7109(B), 7097, 7098, 7121, 7121.5
CHERRYTREE CONSTRUCTION	HANFORD	773340	9/8/04	7071.11
CHET C BINIECKI III GENERAL CONTRACTOR	SAN DIEGO	787053	11/1/04	7085.6
CHONG'S L&SCAPE	CHINO	651410	10/27/04	7085.6
CHUNG'S CONSTRUCTION	LA CRESCENTA	598367	12/22/04	7030(A, B), 7109(A), 7113, 7110, 7162, 7159(B, C, D, E, F, G, H, J, K, L)
CLAYPOOL CONSTRUCTION	SUSANVILLE	781764	10/30/04	7107, 7109(A), 7113, 7115(7164D)
C M BARRY	LOS GATOS	684262	12/23/04	7159(A, B, D, F, G, J, K, L), 7191
CM PHILLIPS CONSTRUCTION COMPANY	ANAHEIM	501887	10/14/04	7097, 7098, 7121, 7121.5
COLORADO SOLID SURFACES	SUN VALLEY	775645	11/5/04	7109(A), 7111.1, 7113, 7154
COMPLETE	SAN CARLOS	615041	9/8/04	7107, 7116, 7117(A), 7111.6, 7159(D, E), 7109
CUSTOM BUILDING	PACIFIC BEACH	702275	12/10/04	7085.6
CUSTOM LANDSCAPING	NORWALK	787925	9/8/04	7085.6
DANIEL POTTS	VACAVILLE	801833	11/5/04	7071.11
DAREN MORGAN CONSTRUCTION	TRABUCO CANYON	723644	10/25/04	7109, 7027.3, 7110, 7113, 7115, 7117(A), 7117.6, 7159(A, B, D, E, F, G, H, J)
DAVID ALLAN MILLER	MANHATTAN BEACH	708812	12/19/04	7085.6
DECOR (INTERIORS BY DESIGN)	RANCHO PALOS VERDES	670189	11/5/04	7109, 7030(A, B), 7030.5, 7110, 7113, 7159(B, C, D, F, G, K, L)
DESIGN DECORUM, INC	PACIFIC PALISADES	776577	11/5/04	7109(A), 7083.1, 7113, 7159(B, D, E, F, G, J, K, L)
DIMENSION BUILDERS, INC	EL CAJON	630663	10/14/04	7123, 7097, 7098, 7121, 7121.5

## License Revocations

Name	City	License No.	Date	Sections Violated	Name	City	License No.	Date	Sections Violated
DISCOUNT TILE	LOS GATOS	264220	9/15/04	7085.6	MAJESTIC VIEW PAINTING	BERKELEY	761888	12/9/04	7030(A, B), 7109(A), 7110, 7113
DON MAXWELL SERVICES	CLOVIS	595151	10/21/04	7085.6	MAKAHLI & TONGA CORP DBA RELIABLE GENERAL CONTRACTORS & EXPRESS	OAKLAND	757850	11/5/04	7109(A), 7030(A, B), 7113, 7117(B), 7117.6, 7030.5, 7159(B, D, F, J, K, L)
DREAM HOME BUILDERS	SALINAS	534511	9/8/04	7109(A, B)	MALAVASI, WILLIAM F	MURRIETA	762455	10/25/04	7109(A), 7117.5(C), 7027.1, 7030(A, B), 7113, 7117(A), 7150.2(C), 7115, 7159(B, D, E, F, G, J, K, L)
DS (DEVELOPMENT JUMPING) MAINTENANCE	LOS ANGELES	539582	10/25/04	7030(A, B), 7109(A), 7113, 7150.2(C), 7159(D, E)	MAMMOTH CONCRETE	CANOGA PARK	719675	9/22/04	7085.6
ET ULTIMATE CONSTRUCTION	INDIO	780792	12/9/04	7107, 7113, 7120, 7159(F, G, J, K, L, M)	MANCHESTER BUILDERS	BISHOP	95459	9/28/04	7085.6
ELLIOTT & SONS TILE & MASONRY	CAPISTRANO BEACH	462823	12/8/04	7109(A), 7113, 7159(B, E, F, G, J, K, L, M), 7030(A, B), 7110, 7071.11	MANUEL GONZALES MACIAS	SAN GABRIEL	309598	10/1/04	7107, 7109, 7030(A, B), 7110, 7068.1, 7113, 7115, 7159(A, B, E)
EMPIRE CONSTRUCTION	RANCHO CUCAMONGA	747141	11/5/04	7071.11	MARIN SONOMA PAINTING COMPANY	NOVATO	446678	11/5/04	7071.11
ENDEAVOR WINDOWS INC. DBA ENDEAVOR	PLEASANT HILL	762042	11/5/04	7071.11	MARK DAVID CLAIREMONT	ORANGE	771963	11/5/04	7120, 7107, 7113
EVOLUTIONARY ENVIRONS	CARSON CITY	354385	12/23/04	7115, 7159, D, E, 7117.5	MARLIN LEE MILLER	SANTA ANA	731340	9/8/04	7071.11
EXCALIBUR	SANTA CRUZ	439309	11/29/04	7097, 7098, 7121, 7121.5	MASTERCRAFT TILE & ROOFING CO. INC	RICHMOND	248609	10/22/04	7113, 7115/7030(A), 7030(B), 7159/ 7120, 7097, 7098, 7121, 7121.5, 7122.5
EXCEL PAINTING	EL CAJON	727035	9/8/04	7071.11	MAYNARD L. CHILDERS	CONCORD	567386	9/8/04	7071.11
F G EDWARD GENERAL CONTRACTOR	LIVERMORE	755001	11/5/04	7071.11	MC CLINTON'S CONSTRUCTION	FONTANA	355021	9/8/04	7071.11
F S T GENERAL	SACRAMENTO	801582	11/14/04	7085.6	MC KELLER HOME IMPROVEMENTS	LAKEWOOD	760429	11/19/04	7085.6
FARINHA INC	AUBURN	661418	9/8/04	7071.11	MGM CONSTRUCTION	DANA POINT	675091	12/18/04	7085.6
FARTHING PAINTING	LAKESIDE	392530	9/28/04	7085.6	MODOV INDUSTRIES GENERAL BUILDING CONTRACTORS	LOS ANGELES	670346	11/25/04	7085.6
FAZE II	GILROY	760321	9/8/04	7071.11	MONNIG'S FLOORING	ANAHEIM	733487	10/25/04	7109(A), 7113, 7117.5(C), 7159(B, D, E, F, G)
FAZE II	GILROY	760321	11/5/04	7159	NEBEL PACIFIC CO	BRISBANE	763295	11/5/04	7071.11
FIRST IMPRESSIONS PAINTING & DECORATING	OAKLAND	799081	9/8/04	7071.11	NELSON B. ENRIQUEZ	COLMA	784668	11/29/04	7030(A, B), 7109(A, B), 7110, 7113, 7159(B, D, E, F, K, L)
FLASH MERCURY FIRE PROTECTION	MONTEBELLO	660934	9/17/04	7085.6	NEW AGE INDUSTRIES, INC	FULLERTON	736737	10/8/04	7097, 7098, 7121, 7121.5
FOAM SHIELD ROOFING & ENVIRONMENTAL PROTECTIVE COATINGS	CONCORD	711551	9/8/04	7109(A), 7018.5, 7110(D), 7030(B), 7111.1, 7159(B, E, F, G, J, K, L)	OASIS POOLS	WALNUT CREEK	603432	9/8/04	7109, 7110, 7113, 7159, 7117.6
FOOTE ROOFING CO	DESERT HOT SPRINGS	785158	10/25/04	7085.6	OVERLAND CONSTRUCTION INC.	DIXON	586513	9/8/04	7071.11
FORBES F & CO	NAPA	399231	10/14/04	7085.6	P L ANGLAND INC	SAN DIMAS	661041	11/5/04	7071.11
FRANICIS A WALKER	SAN MARCOS	716393	9/13/04	7085.6	P L ANGLAND INC	SAN DIMAS	661041	10/1/04	7120, 7083
FRANK GONZALEZ MASONRY	REDLANDS	641289	9/5/04	7107, 7113, 7117.6, 7159(B, D, E, F, G, J, K, L)	PAK SUP	TRACY	650539	12/17/04	7085.6
FRANK P ESQUIVEL GENERAL BUILDING CONTRACTOR	ROSEVILLE	559464	10/19/04	7085.6	PERFECTION PAINTING	CHICO	773674	11/5/04	7071.11
FRYDENDAL CONSTRUCTION	ALTA	636785	10/21/04	7085.6	PETTIFORD, MICHELE J	NORTH HOLLYWOOD	792699	9/17/04	7107, 7116, 7159(E)
G&G CONSTRUCTION CO	LOS ANGELES	792306	12/9/04	7107, 7109(A)	PHIL DVORSKY CONSTRUCTION	ELK GROVE	769742	11/5/04	7071.11
GALI LANDSCAPING & MAINTENANCE CO	ENCINO	618726	11/3/04	7097, 7098, 7121, 7121.5	PLANET STONE, INC	SANTA CRUZ	788613	11/29/04	7107, 7116, 7097, 7098, 7121, 7121.5
GEORGE CONSTRUCTION CO	SAN LEANDRO	365424	11/5/04	7071.11	PRESIDIO GARAGE DOOR CO	SAN FRANCISCO	806319	11/16/04	7107, 7113, 7116, 7159, 7083
GEORGE LUIS GUTIERREZ	FRESNO	685171	12/23/04	7109	PRESIDIO GARAGE DOOR CO	SAN FRANCISCO	806319	12/23/04	7107, 7113, 7116, 7159, 7083
GEORGE REGENAL ODEN	PALM SPRINGS	819243	12/10/04	7085.6	RAFI KUREGHIAN	GLENDALE	409777	9/2/04	7085.6
GERBER ROOFING	LONG BEACH	658332	10/25/04	7117.5	RANDOLPH CONSTRUCTION COMPANY	CULVER CITY	591412	11/18/04	7085.6
GOLDEN WEST LANDSCAPING	VISTA	527608	11/5/04	7071.11	RANDY SAVILLE DRYWALL	HANFORD	747700	9/8/04	7071.11
GOODHOPE CONCRETE	SACRAMENTO	785419	11/16/04	7097	RAYMOND MORALES	CITY OF INDUSTRY	775110	11/3/04	7097, 7098, 7121, 7121.5
GREGORY M PATTERSON CONSTRUCTN INC	SAN FRANCISCO	756085	9/16/04	7085.6	R BRAND	CLEARLAKE OAKS	376980	11/13/04	7085.6
H JARVIS & SON PAINTING	WINDSOR	793026	11/5/04	7071.11	REGARD SABRI YAKOU	CARLSBAD	502096	9/8/04	7071.11
HAMMER & NAIL CONSTRUCTION	ELK GROVE	771243	9/8/04	7109, 7110(D), 7018.5, 7030(A, B), 7111.1, 7113, 7115, 7159(B, F, G, J, K, L),	RICHARD JAY CHAMPION	FULLERTON	680842	10/8/04	7107, 7109(A, B), 7113, 7116, 7097, 7098, 7121, 7121.5
HARRY'S CUSTOM TILE	NORTH HOLLYWOOD	637585	9/8/04	7071.11	RND LANDSCAPE	LIVERMORE	797159	12/23/04	7030(A), 7030, 7107, 7108, 7110(D), 7159(E, F, K, L)
HERNANDEZ & SON GENERAL CONSTRUCTN	SYLMAR	626332	12/13/04	7085.6	ROBERT E SMOUSE JR	LA CANADA	574393	10/1/04	7097, 7098
HONG'S DECORATING & PAINTING	LOS ALAMITOS	836720	12/14/04	7109, 7113, 7115(C), 7159(B, D, E, K, L)	ROBERT E SMOUSE JR	LA CANADA	574393	11/5/04	7071.11
HW MASONRY COMPANY	ADELANTO	689142	11/12/04	7107, 7108, 7109(A), 7110, 7113, 7117.6, 7120, 7097, 7098, 7121, 7121.5	ROBERT GUNN	ELK GROVE	497425	9/17/04	7097, 7098, 7121, 7121.5
HYDROGROWTH HYDROSEEDING	CAPISTRANO BEACH	596362	9/8/04	7071.11	ROSS SMITH	HOUSTON	783346	11/5/04	7109(A), 7018.5, 7030(A, B), 7110, 7113, 7150.2(C), 7115, 7159(B, E, F, G, J, K, L)
HY-TECH CONCRETE CUTTING	YORBA LINDA	659259	11/5/04	7071.11	SEA BREEZE INC	PASADENA	732841	10/18/04	7109(A, B, D), 7115, 7159(D, E, F, J, L), 7114(A), 7159, 7030
IKON ROOFING CO	CHOWCHILLA	446562	10/22/04	7085.6	SEEPAGE CONSTRUCTION	GLENDALE	513527	9/20/04	7109(A), 7113, 7115, 7030(A), 7159, 7118, 7097, 7198, 7121, 7121.5
INTEGRITY CARPET	DESERT HOT SPRINGS	742266	10/5/04	7109(A), 7110, 7113, 7030(A, B), 7117(A), 7117.5(B)	SIERRA TRENCHING	OAKHURST	758612	11/5/04	7071.11
J - L CONSTRUCTION COMPANY	CLEARLAKE	174384	9/8/04	7120, 7108.6	SIERRA TRENCHING	OAKHURST	763915	11/5/04	7071.11
J C CONSTRUCTION	WALNUT CREEK	355995	10/22/04	7097, 7098, 7121, 7121.5	SPRINGFIELD CONSTRUCTION & REPAIR	WOODLAND	806776	11/5/04	7071.11
JGL ELECTRIC TELECOM	UPLAND	786230	12/8/04	7109(A), 7030(A, B), 7110, 7113, 7154, 7159(F, J, K, L, M)	STF CONCRETE	HAWTHORNE	785155	10/26/04	7114
J CATES CUSTOM STONE & TILE SETTING INC	BOULDER CREEK	646005	9/17/04	7085.6	SURFACE TECH	CAMERON PARK	764324	10/12/04	7107, 7109(A), 7113, 7115, 7159(B, D, E, F, G, K, L), 7030(A, B), 7117.6, 7103
JAMES VELASQUEZ JR	RIVERSIDE	796265	12/2/04	7109(A), 7117.6, 7159(B, D, F, G, J, K, L), 7030(A), 7107, 7120, 7113, 7110	T & S CONCRETE CO	REDDING	723042	9/8/04	7109, 7113, 7115, 7159
JE KIMBERLING CONSTRUCTION CO.	OXNARD	398503	10/25/04	7109(A, B), 7113, 7116, 7115, 7159	TAPUZ ENTERPRISES, INC	RESEDA	698776	11/3/04	7110, 7097, 7098, 7121, 7121.5
JOE JUNEAU CONCRETE	MAMMOTH LAKES	677399	9/8/04	7071.11	TED ZELLMER CONSTRUCTION	BEVERLY HILLS	556239	9/8/04	7071.11
JOHN PERPINAN	SANTA ROSA	723367	12/23/04	7110(A), 7159(D, E)	TERRY BUILDERS	AGOURA HILLS	548862	12/9/04	7030(A, B), 7117.5(C), 7117.6, 7150.2(C), 7115, 7159(B, D, E, F, G, J, K, L)
JOHN WINFIELD MONTOYA	FOOTHILL RANCH	598692	12/10/04	7085.6	THE CIMINO COMPANY	FREMONT	419000	11/16/04	7109(A, B), 7113
JOSEPH MC GUE	REDDING	651524	11/15/04	7109, 7113, 7115, 7159	THE FENCE MAN	CLOVIS	742260	10/15/04	7085.6
KONGEA CONSTRUCTION CORP	ROWLAND HEIGHTS	731678	10/18/04	7085.6	THE OASIS POOL INC	TIGARD	774609	11/5/04	7120, 7107, 7113
LAWRENCE CONSTRUCTION	MCKINLEYVILLE	689570	9/22/04	7107, 7113, 7115/7030(A), 7030(B), 7159, 7097, 7098, 7121, 7121.5	THOMAS MC CAFFREY CONTRACTOR	JACKSON	770326	11/13/04	7085.6
LEE DEVELOPMENT & CONSTRUCTION	STOCKTON	614468	9/8/04	7071.11	THOMPSON DEVELOPMENT CO, INC	BELLFLOWER	597003	11/5/04	7107, 7030(A, B), 7113
LION KING CONSTRUCTION	SAN MATEO	742716	12/23/04	7018.5, 7030(A), 7030, 7150.2(C), 7159(F, G, J, K, L), 7110(G)					
LITTLE JUNIOR CONCRETE PARTNERSHIP	SACRAMENTO	789304	11/16/04	7097					
LOU MILNER CARPET, INC	VAN NUYS	518692	10/25/04	7117.5					
MW TILE WORKS	SUGARLOAF	797718	12/23/04	7109(A), 7113, 7117.5, 7115, 7150.2(C), 7159(A, B, E, G, H, I, J)					
MACK SERVICES	LAKE FOREST	404587	10/20/04	7085.6					

(Continued on page 10)

## Searching for a Few More Qualified Industry Experts

The Contractors State License Board is continuously accepting applications for industry experts in *all* the specialty classifications in order to have enough experts to investigate complaints throughout the state. The Board is in the process of creating an active pool of experts designated to a specific CSLB field office representing a general geographic area. Ideally, each expert will be asked to perform an average of one or two inspections per month.

Applicants accepted into the program must attend an orientation training seminar. Training dates, times, and locations will be scheduled based upon the number of applicants. Training will be at various locations throughout the State in order to accommodate the participants, and will be expanded on a continuing basis as needs are identified. Initially, experts will be provided training on the following topics:

- Alternative Dispute Resolution
- Supporting Administrative Violations of Law
- Testifying in Administrative, Civil, and Criminal Proceedings.

Applicants must have a solid knowledge of current, accepted industry standards in their areas of expertise, be able to verbally communicate effectively, be able to write an effective opinion, and be able

and available to testify at hearings and arbitrations as needed. Certain technological capabilities have now been deemed critical to the effectiveness and efficiency of the program. Applicants should also be able to:

- Communicate by e-mail;
- Take digital photographs;
- Transmit and receive digital photographs electronically; and
- Transmit completed reports as attachments to e-mail

CSLB created the Industry Expert Program (IEP) in 1985 to assist investigators in establishing and documenting workmanship issues and deviations from plans and specifications. Since then, industry experts have proven to be critical witnesses for the Board when investigating complaints, establishing violations of law and testifying at administrative hearings, criminal hearings and arbitration proceedings.

While the current program has achieved its original goals, the Board's changing needs prompted a review of the program. The review showed that some changes could improve its overall effectiveness. The changes being implemented reflect the Board's commitment to developing, training and expanding its use of experts.



If you believe you qualify and would like to apply for the program, the CSLB wants to hear from you. Please send an e-mail to [IEP@vprn.cslb.ca.gov](mailto:IEP@vprn.cslb.ca.gov) and include your name, contractor's license number, classification, and a phone number where you can be reached during normal business hours.

## Disciplinary Actions—License Revocations

(Continued from page 9)

Name	City	License No.	Date	Sections Violated
TOP GRADE PAVING	WEST SACRAMENTO	779226	9/8/04	7107, 7111.1, 7159
TWO GOOD ROOFERS	FRESNO	704689	12/23/04	7107, 7113
TUCKER, MICHAEL R	PALM SPRINGS	770108	11/5/04	7018.5, 7109(A), 7110, 7113, 7159(A, C, D, J)
VENA CONTRACTING	POMONA	788303	12/23/04	7030(A), 7030(B), 7109(B), 7113, 7114, 7159(A, B, C, E, F, J, K, L)
VETERAN ELECTRIC	MISSION HILLS	774967	9/8/04	7071.11
VINCENT D LIMAS, DBA REZCOM BUILDING WORKS	STOCKTON	701888	11/15/04	7109, 7113, 7030(A, B), 7110(D), 7111.1, 7159(D, F, G, J, K, L)
VISIONS IN WOOD CONSTRUCTION CO	RICHMOND	721913	11/28/04	7085.6
VISTA BUILDERS OF HAYWARD	STOCKTON	350031	11/11/04	7085.6
VISTA PAINTING CO	OCEANSIDE	654586	10/25/04	7159(B, D, E, F, G, H, J, K, L, M), 7117.6, 7117.5(B), 7117.5(C), 7030(A, B), 7150.2(C), 7110
W A BROWN	SAN DIEGO	173212	9/29/04	7107, 7113, 7115, 7030(A), 7117(A), 7097, 7098, 7121, 7121.5
WESCO PLUMBING, HEATING & A/C INC	LOMITA	658297	10/25/04	7120
WESTERN CONSTRUCTION	DIAMOND BAR	724366	11/9/04	7085.6
WIELER DEVELOPMENT	RIVERSIDE	506879	11/24/04	7085.6
WILLIAM GOCKE CONSTRUCTION	SAN JOSE	784430	11/5/04	7071.11
WITZELBERGER CONCRETE CONSTRUCTN	WOODLAND	772780	11/5/04	7071.11
WOLVERTON CONSTRUCTN A PARTNERSHIP	HUNTINGTON BEACH	788326	10/14/04	7109(A), 7111.1, 7113, 7068.1, 7159(A, B, C, D, E, F, J, K, L), 7117
WOLVERTON CONSTRUCTION, A PARTNERSHIP	HUNTINGTON BEACH	788326	11/5/04	7117.5, 7117.6, 7027.1, 7030.5, 7027.1, 7117(A)
WOODS WELL DRILLING	HERALD	428030	11/5/04	7071.11
WOODSTONE	MOORPARK	696769	10/15/04	7123, 7018.5, 7030(A), 7107, 7083, 7111.1, 7116, 7115, 7159(B, D, E, F, G, J, K, L)
WYCINSKY BUILDERS	MURRIETA	509553	11/4/04	7109(A), 7030(A, B), 7159(B, F, G, J, K, L)
ZELLMER CONSTRUCTION INC	BEVERLY HILLS	808987	9/8/04	7071.11

## Revocation Clarification

The Fall 2004 edition of the California Licensed Contractor listed the revocation of the C-10 Electrical Contractor license for LA Signal (#725670). The item listed a violation of Section 7127.5 of the Business and Professions Code as part of the justification for the revocation. While the revocation information is correct, that specific section should not have been included. We apologize for the error.

## CSLB's Automated Phone Response System (APRS) (800) 321-CSLB (2752)

### Get information 24/7 on APRS

A wide variety of Board services are available to you 24 hours a day, seven days a week.

Almost any information or service you may need from the CSLB—from checking a contractor's license number to ordering forms, pamphlets and brochures to getting answers to your most commonly asked questions—can be obtained by calling the Board's Automated Phone Response System at (800) 321-2752 (CSLB) or by visiting our Web site at [www.cslb.ca.gov](http://www.cslb.ca.gov). The best part is that both systems are available 'round the clock everyday, and you won't have to wait on hold to get the information.

### Contractor License Check

- 11 Check a contractor's license number

### Contractor Information & Pamphlets

- 42 Order *Asbestos, a Contractors Guide and Open Book Exam*
- 42 Order *Blueprint for Becoming a California Licensed Contractor*
- 43 Order *The California Contractors License Law & Reference Book*

### Applying for a Contractor's License

- 211 Who Needs a License?
- 212 Classification Information
- 214 Fingerprinting Information
- 2131 Application Requirements
- 2132 Exam Information
- 2133 Waiver of Exam Information
- 2134 License Issuance Information

### Maintaining Your Contractor's License

- 221 License Renewal
- 22211 Bond Requirements
- 22212 Workers' Compensation Insurance Requirements
- 2222 Qualifying Person Requirements
- 22223 Replacing the Qualifying Person
- 2223 Home Improvement Certification
- 22241 Civil Court Judgment Information
- 22242 Family Support Information
- 22311 Business Name Changes
- 223121 Adding a Classification
- 223122 Adding a Certification
- 22313 Officer Changes
- 223141 Inactivating a License
- 223142 Reactivating a License
- 223143 Canceling a License
- 2232 License Business Structure
- 224 Laws and Classification Information
- 241 How to Resolve a Complaint
- 242 Types of Complaints
- 243 Complaint Disclosure
- 244 SWIFT Info (Report Unlicensed Activity)

### Checking a contractor's license on APRS

The most popular feature for both systems is the automated license check. This enables you to check out the license status of any sub-contractor you work with. The Board also urges you to encourage your customers to use this important feature—it will help them feel even more confident in your abilities as a contractor.

To check a license over the phone, you must have the license number. However, through the Web site you can check a license by number, business name and/or personnel name by clicking on the "Check a Licensed Contractor" icon.

Below is list of phone shortcuts to help you navigate the system more quickly.

### Ordering Forms for License Maintenance

- 2311 or 2321 Order Original Application for Contractors License
- 2311 or 2321 Order Condensed Version of an Original Application
- 2311 or 2321 Order Additional Classification Application
- 2311 or 2321 Order Replace the Qualifier Application
- 2311 or 2321 Order Asbestos Removal Certification Application
- 2311 or 2321 Order Hazardous Removal Certification Application
- 232 Order Renewal Application
- 232 Order Reactivation Application
- 2312 or 2322 Order Inactivation Application
- 2313 or 2323 Order Business Name / Address Change Form
- 2313 or 2323 Order Officer Change Form
- 2313 or 2323 Order Disassociation Form
- 2314 or 2324 Order Bond / Cash Alternative Forms
- 2314 or 2324 Order Workers' Compensation Exemption Form
- 2314 or 2324 Order Joint Venture Application
- 2314 or 2324 Order Home Improvement Salesperson Application

### Documents in Writing

- 332 General Status Letters
- 332 Bond Status Letters
- 333 Verified Certificates
- 334 Copies of Public Documents

### Consumer Information & Pamphlets

- 41 Order *What You Should Know Before You Hire a Contractor*
- 41 Order *Tips for Hiring a Roofing Contractor*
- 41 Order *Before You Dive Into Swimming Pool Construction*
- 41 Order *A Consumer Guide to Asbestos*
- 41 Order *A Consumer Guide to Filing Construction Complaints*
- 32 How to File a Complaint
- 32 Order a Complaint Form
- 31 Complaint Disclosure Information
- 32 Info about Your Pending Complaint
- 323 Reporting Civil Court Judgments

## Important Information About Bidding for Public Works Projects

**M**any contractors realize the benefits of participating in public works projects. These construction projects are financed with public funds and are awarded by government agencies throughout the state. The industry is a vital part of California’s economy. But if you want to bid for these projects, you need to follow some very specific guidelines. When contracting for public works projects you are subject to a system that sets certain conditions of employment. These conditions include minimum wage requirements, called “prevailing wage rates.”

### What is required?

Prevailing wage requirements were established more than 65 years ago to protect workers on these projects and to level the playing field for those competing for public works jobs. Under the law, employers contracting for public works projects must pay their employees at least the prevailing wage rate associated with the type of work they perform for the project. The prevailing hourly wage rates for specific job duties are available on the Department of Industrial Relations’ (DIR) Web site at [www.dir.ca.gov](http://www.dir.ca.gov). The rates vary by region.

Employers must also maintain accurate payroll records, including work classifications for workers employed in connection with the public work. In addition, they must comply with apprenticeship training requirements under the oversight of the DIR’s Division of Apprenticeship Standards.

*When contracting for public works projects you are subject to a system that sets certain conditions of employment. These conditions include minimum wage requirements, called “prevailing wage rates.”*

### How are requirements enforced?

The laws governing public works and prevailing wages are vigorously enforced. Investigations may be triggered by complaints from workers, employees, other contractors, other monitoring agencies and awarding bodies. When a complaint is filed, the contractor in question will be required to provide the DIR’s Division of Labor Standards

Enforcement (DLSE) with payroll records and other documentation as requested. If a violation is determined, DLSE will issue a Civil Wage and Penalty Assessment to prime contractors, affected subcontractors and their bonding companies.

Monetary penalties for violating prevailing wage obligations can be extreme. Although contractors and subcontractors can argue their case, to win they must prove that the basis for the Civil Wage and Penalty Assessment is incorrect. Repeat offenders or those with intent to defraud could be debarred and would then be ineligible to bid on, be awarded, or perform work on any public works project for up to three years.

### Where can I find more information on the prevailing wage?

Competing for public works contracts can be rewarding. But because of the complexity of the laws and regulations surrounding public works, it is important that you familiarize yourself with them prior to submitting any bids.

For more information on the prevailing wage rates and public works contract requirements, we encourage you to visit [www.dir.ca.gov](http://www.dir.ca.gov).

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