



CALIFORNIA LICENSED CONTRACTOR

STEPHEN P. SANDS, *Registrar* | EDMUND G. BROWN JR., *Governor*

Contractors Aren't "Exempt" from State Law

Since March, license renewal application packages have included reminders about the new law (Business and Professions (B&P) Code section 7125.5) that requires licensees to recertify their exemption from carrying workers' compensation insurance at the time of renewal or provide a current and valid Certificate of Workers' Compensation Insurance or Certificate of Self-Insurance.

A license will not be renewed without the recertification statement. However, if acceptable documentation is received within 30 days of the CSLB renewal rejection, the Registrar may grant a retroactive renewal (B&P Code §7141.5).

About 60 percent of active CSLB licensees claim a workers' compensation insurance exemption, declaring they have no employees. If this status changes, it is the licensee's responsibility to obtain the appropriate level of insurance and submit that information to CSLB.

Remember that there can be no break in workers' compensation insurance coverage; **no work can be performed if a license is suspended, and those who continue to contract are considered to be unlicensed and subject to disciplinary action by CSLB.**

C-39 Roofing contractors still must provide workers' compensation coverage even if they have no employees, as required by B&P Code §7125. Also, contractors with a Responsible Managing Employee as a qualifier must provide workers' compensation insurance. In either case above, an exemption from workers' compensation insurance will not be accepted. ■

Weekend Enforcement Surprises Many

CSLB enforcement teams recently expanded operations beyond the usual Monday through Friday "work week" schedule to include sting operations and sweeps of active construction sites on weekends. The new schedule began in April and already is showing promising results.

CSLB Enforcement representatives have been checking contractors to ensure compliance with California's licensing and workers' compensation insurance requirements. Legitimate contractors have been pleased to see CSLB representatives in the field on weekends, but unlicensed operators have been surprised and unhappy to find

enforcement personnel working outside of usual business hours. It is hoped that these enforcement operations will dispel the perception among some that contracting violations on weekends can go undiscovered and unpunished.

So far, CSLB weekend operations are tallying a near-50 percent violation rate. When violation tallies include CSLB's partnering agencies – the Department of Industrial Relations, Employment Development Department, Department of Insurance, Board of Equalization, Attorney General's

SEE ENFORCEMENT PAGE 3



This construction crew was among those checked by CSLB investigators during a recent Saturday sweep in Vallejo.

If All Else Fails...

CSLB has to reject or return nearly half of all new license applications for corrections. To avoid having your application delayed, be sure to read the opening instruction pages for assistance in filling out the form completely and accurately.

Simple mistakes such as not signing the form, misstatements of professional qualifications, or significant omissions (such as a criminal conviction) can cause unnecessary delays in the application process.

SEE APPLICATIONS PAGE 7



CALIFORNIA LICENSED CONTRACTOR

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STATE OF CALIFORNIA

Edmund G. Brown Jr.
Governor

Stephen P. Sands
Registrar of Contractors

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www.cslb.ca.gov
CheckTheLicenseFirst.com
SeniorScamStopper.com

Message from the Board Chair



As my term as Board Chair comes to end, I want to point out some key accomplishments and what CSLB hopes to do in the future.

We began issuing licenses to limited liability companies (LLCs) this past year—a new opportunity to expand the type of business entities that can hold a state contractor license. More than 150 companies have taken advantage of this new license category.

Also, the new law that requires recertification of claiming an exemption from carrying workers' compensation insurance has been instituted and requires all contractors (at the time of license renewal every two years) to recertify their exemption status or provide a current and valid Certificate of Workers' Compensation Insurance or Certificate of Self-Insurance. An online video is now available for applicants and those who are renewing or adding to their license to help reduce the number of application errors that occur and result in licensure delays. Also, a specialized letter was distributed to consumers who repeatedly hire unlicensed operators, and we worked with the Employment Development Department to develop and distribute an outreach packet to educate legislators, contractors, and consumers about the dangers of the underground economy.

CSLB now is striving to meet a vision of improved services for contractors and consumers by 2020. Here are some of the improvements the divisions will undertake:

- Create an electronic (paperless) application renewal and management process
- Fully automate the bond and workers' compensation insurance process
- Provide chat ability in CSLB's call center
- Create a program for license look-up with quick response (QR) codes, smartphones, etc.
- Create a new asbestos abatement specialty classification
- Develop an online smart application package to reduce application errors
- Implement online licensure and renewal for credit card payments
- Create an energy efficiency campaign with the California Energy Commission
- Complete new flagship contractor publications for applicants and contractors
- Develop a contractor presentation kit with client tools and resources

Most importantly, the board is reviewing its laws and regulations to do everything possible to simplify the regulatory process for applicants and licensees while still maintaining consumer protection.

It has been a year filled with progress and with a productive eye to the future, and has been my pleasure to serve as Board Chair.

Respectfully,

Paul Schifino

Board Member Says Farewell after Decade of Service

"It's has been an absolute honor to serve on the Contractors State License Board," said Matthew Kelly, the longest-serving Board member to date. Kelly stepped away on June 1, 2013, at the conclusion of his third term. Kelly, who was first appointed by the Senate Rules Committee in 2003, spent 10 years on the board and served as its chairman in 2006-07.

Kelly, of Sacramento, has worked in a variety of commercial and residential projects during his construction industry career. He first trained as a carpenter apprentice, and then worked in construction management for a large general contractor for many years. He has served for 11 years as Executive

Secretary
Treasurer of the
Sacramento-
Sierras
Building and
Construction
Trades Council.
"I've enjoyed
the opportunity
to be involved
in an industry
board that has been an important part of
my life for the past 25-plus years and to the
economy of our great state."



Kelly said he'll most miss "the ability to influence policy and be supportive of



From a helicopter, Matt Kelly surveys the damage from a devastating Southern California fire in 2007.

the great work that staff does each and every day." ■

CSLB Welcomes New Board Officers

At its June 11, 2013 meeting, CSLB's Board unanimously selected the following officers to serve for the 2013-14 fiscal year:

Joan Hancock – Chair
To Be Determined – Vice Chair
David Dias - Secretary

Enforcement CONTINUED FROM PAGE 1

Office, and others – the violation rate soars as high as 80 percent, and the fines increase rapidly.

Several of the weekend violators have included construction employees who are moonlighting from their legitimate, weekday jobs. Some of these workers have been using the vehicles and equipment of their regular employers to engage in illegal, "after hours" employment. ■

CSLB Helps Veterans Seeking Civilian Contractor Careers

Seven former military servicemen have now earned their California contractor license with the help of CSLB's Veterans Application Assistance program. The program was established in December 2012 to help veterans transition to civilian careers. And, as troops return from Middle East conflicts, it's expected there will be a growing trend of veterans interested in using their military training to become state-licensed contractors.

CSLB partnered with the California Military Department to identify

specific military job classifications that would meet minimum state licensure experience standards. Veterans' license applications are expedited on a case-by-case basis to determine if the person has gained trade experience during their military service that can serve as professional credit.

If you have questions, believe you qualify for this expedited program, or know someone who may benefit, email CSLB's Licensing division at: veteransinfo@cslb.ca.gov. ■





Support Next Generation of Construction Industry Leaders

Generous CSLB licensees have, for years, poured hundreds of thousands of dollars into a special fund, known as the Construction Management Education Account (CMEA), to help California university students become the next generation of industry managers.

CMEA was established through a legislative act – the Construction Management Education Sponsorship Act of 1991 – and enables you to make a donation when you renew or apply for a new license. These donations are the lifeblood of CSLB grants given to universities that offer curriculum, training, and degrees in Construction Management.

Donations have declined during the downturn in California’s construction industry, but CSLB is hopeful that the trend soon will reverse to help sustain the program.

An advisory committee of 11 representatives from professional contractor associations makes award recommendations to the Board. Universities may use the money for instructional materials and support equipment, curriculum development and delivery, outreach, continuing education, faculty, or other related expenses. CSLB is responsible for the program’s administration and annually reports activity to the Legislature.

Thanks to existing donations and a reserve fund, about \$150,000 has been distributed each year since fiscal year (FY) 2008-09. Five California State University campuses – Chico; California Polytechnic State University, San Luis Obispo (SLO); Long Beach; Fresno; and Sacramento – received a portion of the FY 2012-13 grants.

The amount of money each school receives is based on its number of construction management graduates the previous year. The universities also must document the placement of more than 50 percent of their graduates with California licensed contractors to qualify for the grants.

CSU, Chico received the most money among the schools – almost \$58,000 – based on its 160 graduates last year. Cal Poly SLO had the next highest number of graduates at 100 and was awarded \$36,231; CSU, Long Beach received \$29,347 for its 81 grads; CSU, Fresno received \$17,753 for its 49 graduates; and CSU, Sacramento was given \$8,695 based on 24 graduates.

Whether you contribute \$20, \$50, \$100 or more, you provide valuable opportunities for university students – and help advance industry professionals – when you contribute to CMEA. ■

University	Grant Amount
California State University, Chico	\$57,969.60
California Polytechnic State University, San Luis Obispo	\$36,231.00
California State University, Long Beach	\$29,347.11
California State University, Fresno	\$17,753.19
California State University, Sacramento	\$8,695.44
Total Grant Amount	\$149,996.34

When CSLB Lowers the Hammer for Contracting Violations

CSLB uses progressive discipline against licensees for violations of Contractors State License Law, but egregious acts and unprofessional behavior can result in revocation even for the first offense.

Revocation of a contractor license or home improvement salesperson registration is the ultimate discipline CSLB can impose, and the process starts when an accusation is filed. When fraudulent acts or omissions, deceitful business practices, and/or substandard workmanship pose a threat to the public, CSLB refers the complaint investigation to the Office of the Attorney General (AG) for the filing of an accusation. This referral, including alleged violations, is disclosed on the license history. Disclosure of pending

disciplinary action against a license is for the public’s protection, which is CSLB’s primary mandate.

The AG’s office files the accusations on CSLB’s behalf, and the assigned Deputy Attorney General (DAG) ultimately determines if alleged violations are supported by the evidence included with the investigative reports. After an accusation is filed, the contractor has 20 days to file a Notice of Defense (NOD). Failure to file an NOD will result in a default revocation of the license. If an NOD is filed, the assigned DAG may try to reach a stipulated agreement or the matter may be scheduled for an appeal hearing with the Office of Administrative Hearings to be heard before an Administrative Law Judge (ALJ).

The ALJ then submits a decision back to the Registrar, which includes a recommendation for discipline to be imposed, including investigative costs. If the violations are upheld, the recommended discipline is usually “revoked, stayed with conditions” or full revocation of the license. Revoked, stayed with conditions is basically a probationary license that allows the contractor to continue to contract, but the disciplinary action is disclosed indefinitely. Also, the licensee must comply with a set of terms that may include, but is not limited to, paying restitution to financially harmed consumers, paying investigative costs, posting a disciplinary bond, and/or taking a business law course. ■

Arrests for Three of CSLB's, One of Nevada's "Most Wanted"

To forewarn consumers – and contractors who may consider hiring them – CSLB posts information on its website about unscrupulous individuals with active arrest warrants who pose as contractors. Three individuals who were posted on CSLB's "Most Wanted" roster for multiple state contracting violations have been arrested; one already has pleaded guilty and was sentenced to a lengthy prison term and restitution.



James Cunningham, arrested April 3, 2013, in Fresno, admitted to fraudulent use of a contractor license, a felony, and misdemeanor counts of contracting

without a license, no workers' compensation insurance, and illegal advertising in connection with a contract he landed to paint and repair the interior of a house being flipped by an investment company. Cunningham, who has prior felony convictions, entered a guilty plea to the most recent charges in Tulare County on May 23, 2013. He was given a 32-month sentence and ordered to pay \$7,400 in restitution to his victims.



Ronald Holland faces charges in San Diego County but was arrested in Sacramento on May 21, 2013. The San Diego County

District Attorney's Office filed felony charges against Holland after numerous consumers complained that he took excessive down payments for contracting work, and did incomplete or substandard work.



Santa Barbara County District Attorney investigators apprehended Penny Art Estes in San Bernardino County on June 4, 2013. Estes,

who ran a company called Green Building America LLC, faces charges of diversion of construction funds, grand theft, theft by false pretenses, and financial elder abuse after it was determined that she preyed on victims who lost their homes in Santa Barbara County wildfires. She presented contracts to rebuild homes using a hybrid (ICF)

building block. Victims gave large sums of money to Estes and she failed to carry out the contracts. Her bail was set at \$2.5 million and she was transferred to Santa Barbara County Jail.

CSLB also helped catch one of the Nevada State Contractors Board's (NSCB) "Most Wanted" illegal operators at a CSLB sting on April 24, 2013. CSLB investigators issued Michael Scaggs a Notice to Appear in Superior Court during an undercover sting operation near Yosemite National Park. Scaggs had been on NSCB's Most Wanted list since 2009 for contracting without a license (a misdemeanor), and a felony charge of unlawful acts or omissions. Scaggs also drove to the CSLB sting without a valid driver license, and his vehicle was towed. 🏠

Anyone with information about suspects listed on CSLB's Most Wanted page should contact their local law enforcement officials. For more information, visit www.cslb.ca.gov/GeneralInformation/Newsroom/MostWanted.asp

CSLB Pursues Contractors Who Operate in "Semi-Underground" Economy

CSLB and its partner agencies – the Employment Development Department (EDD), the Department of Insurance, the Board of Equalization – along with workers' compensation insurance carriers, have joined forces to identify licensed contractors who are trying to avoid paying their fair share of insurance and taxes, and have begun pursuing those contractors who are not complying with their mandated responsibilities.

Contractors are required to accurately report their number of employees to EDD, and have 20 days to notify EDD of any new hires. However, since workers' compensation costs rise with the number of employees, some contractors knowingly underreport their employee counts. CSLB has authority to take action against contractors who fail to abide by EDD's requirements, and will pursue violators. Also, failure to maintain appropriate workers' compensation insurance coverage can result in license suspension and additional sanctions. 🏠



CSLB Enforcement staff question a suspected unlicensed operator at a March 2013 sting in Oakdale.



Contractor-Related Bills Moving through Legislature

CSLB is watching several bills that are making their way through the state Legislature this year. The following list is not all-inclusive, but represents bills that CSLB is either sponsoring or believes will have the greatest impact on the contracting industry if passed and signed by the Governor.

CSLB-sponsored bills are Assembly Bills (AB) 993 (Linder), AB 1114 (Achadjian), and AB 1236 (Hagman); and Senate Bills (SB) 261, 262, and 263 (Monning), and SB 417 (Berryhill). For status updates and amendments on these and other legislation, visit www.leginfo.ca.gov.

CSLB's Watch List:

AB 44 – Subletting and Subcontracting Fair Practices Act: Bidding Practices

This bill would amend Public Contract Code section 4104, the Subletting and Subcontracting Fair Practices Act, to require that prime contractors specify the contractor license numbers of subcontractors who will perform work on bids for public works projects.

AB 186 – Temporary Licenses

This bill would require a board under the Department of Consumer Affairs to issue a temporary license to an applicant who qualifies for, and requests, expedited licensure if that person is married or in a domestic partnership or legal union with a member of the Armed Forces assigned to a duty station in California, if he or she meets specified requirements. The bill would authorize the department to conduct an investigation to determine if the person is legally licensed in another jurisdiction, conduct a criminal background check, and be provided with a signed affidavit.

AB 433 – Fire Protection Systems

This bill would authorize a contractor who holds a C-16 Fire Protection or a C-36 Plumbing classification to install a residential fire protection system for a one- or two-family dwelling.

AB 811 – Excavations

This bill would amend existing law that requires any person planning an excavation to contact a regional notification center prior to excavation, and would require the centers to post on their websites statewide information provided by operators and excavators regarding legal violations and damages resulting from the violations.

AB 834 – Energy Efficiency Standards

This bill would amend existing law and authorize the State Energy Resources Conservation and Development Commission to establish

and implement an administrative enforcement process for building construction and design standards and energy and water conservation standards that are required for new residential and nonresidential buildings.

AB 972 – Employment of Electricians: Certification

This bill would amend existing law to provide for misdemeanor prosecution of contractors and subcontractors who fail to comply with payroll record requirements for public works project workers, including failure to include the state certification number of electricians who work on public works projects.

AB 993 – Contractors: Arbitration

This bill would amend Contractors State License Law by adding conflict of interest provisions and disclosure requirements for an arbitrator prior to accepting an appointment to assist in a proceeding regarding a dispute between a consumer and a contractor. It also would authorize the release of a mechanics lien and the return of tools, and provide for a waiver of the rights to attorney fees or to challenge the award of attorney fees. The bill also relates to the exclusion of persons from the proceeding.

AB 1114 – Home Improvement Contracts

This bill would amend Contractors State License Law by increasing the current \$5 referral fee limitation between two contractors.

AB 1236 – Contractors: Limited Liability Companies

This bill would amend existing Contractors State License Law that states insurance policies secured to satisfy limited liability company provisions are required to be written by an insurer or insurers duly licensed by the state, and also would permit those policies to be written by an eligible surplus line insurer.

SB 261 – Contractors: Fraudulent Use of a License

This bill would add administrative penalties to existing criminal sanctions in Contractors State License Law for licensed or unlicensed contractors who commit violations related to the use of a contractor license.

SB 262 – Contractors

This bill would amend Contractors State License Law to enable CSLB to take disciplinary action against a qualifier and the licensed entity when a qualifier is not actively involved in the construction activities of the license he or she is qualifying. In addition to administrative discipline, an individual falsely serving as a qualifier on a license would be subject to a misdemeanor.

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SB 263 – Contractors: Unlicensed Activity

This bill would clarify that, unless exempted, it is a misdemeanor for a person to engage in the business, act in the capacity of, or contract with a contractor if the person either has never been licensed pursuant to the Contractors State License Law, or the person was a licensee, but performed acts covered by the law under a license that was under suspension for an outstanding unpaid tax liability and/or civil judgment.

SB 417 – Public Building and Works: Contractor Qualifications

This bill would authorize state and local agencies subject to the State Contract Act and the Local Agency Public Construction Act, prior to advertising for construction bids of a public building or a public works project, to advise the Contractors State License Board of any supplemental license, certification, or education required of a contractor to qualify to bid on the project. The bill would require the board to review the information received regarding the supplemental requirements, and to post the information in an easily identifiable location on the board's website. The bill would provide that any supplemental requirements that are not posted on the board's website before the bid opening shall not apply to the bidding process for that contract.

SB 822 – Delinquency Fees

This bill would provide that an incomplete renewal application that had originally been submitted on or before the license expiration date shall be returned to the licensee with an explanation, and that the licensee shall have 30 days to correct and resubmit the renewal, and not be required to pay the renewal delinquency fee. 🏠

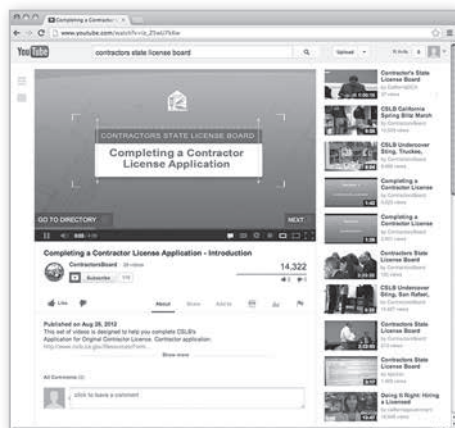
Applications CONTINUED FROM PAGE 1

Individuals whose applications are rejected have 90 days to submit corrected information without penalty. After 90 days, a new application must be submitted along with a new application fee.

To help prospective contractors and those adding a license classification, CSLB added an online video tutorial that takes applicants through a step-by-step process. The eight video segments focus on each stage of the application. So far, the entire video has been viewed more than 13,000 times; individual sections have been viewed about 21,000 times at www.cslb.ca.gov/applicants/applicant_video.asp.

Remember: All new applicants must undergo a criminal background check that includes fingerprints. Be truthful about a past conviction. It will not automatically disqualify you. CSLB staff reviews the circumstances and nature of each offense to decide if an applicant can move ahead in the licensing process.

If you have questions beyond the application directions or online tutorial, contact CSLB at 800.321.CSLB (2752). 🏠

**Contractor Injured at Boston Bombing Rallied by Friends, Colleagues**

John Odom is recovering from his injuries at a rehabilitation center in Boston.

Longtime Southern California contractor John Odom was one of the critically injured spectators near the Boston Marathon finish line on April 15, 2013, when a terrorist bomb exploded about 20 feet from where he was standing. He and other family members were

there to cheer on his daughter, who was running in the Marathon. After 11 surgeries, Odom appears to be on the road to recovery.

Odom is the owner of Murray Company, a mechanical engineering firm based in Rancho Dominguez that has held multiple CSLB licenses since 1956. Odom was only weeks from retirement when he was injured.

His family, friends and colleagues, including CSLB Board Member Robert Lamb, are breathing a cautious sigh of relief about Odom's improvement. "He's very well respected by both the people who work with him as well as his fellow contractors," said Lamb, who previously worked 19 years with Odom's company. "It's a terrible thing. His family is obviously rallying around, and friends have been visiting from all over. The outpouring has been tremendous."

Odom's wife, Karen, reported that her husband has progressed to the point where he is undergoing rehabilitation at a recovery center.

CSLB's board paid tribute to Odom at its April 23-24 meeting in San Diego, which took place a week after the bombing. 🏠



CSLB Poised to Assist Communities if Disaster Strikes

With the fire season looming in tinder-dry California, CSLB is ready to help affected communities if the worst happens. CSLB plays an important role as one of the first agencies to respond during the recovery process when structures are destroyed from wildfires, floods, earthquakes, or any other natural disaster.

As a member of the California Emergency Management Agency’s disaster recovery team, CSLB participates at temporary Local Assistance Centers (LACs) that are set up for affected communities. CSLB staff provides information for property owners who will be looking for contractors to rebuild their homes and other structures about specific state contracting regulations that have been established for their protection.

CSLB enforcement representatives also sweep disaster areas and post signs to remind consumers to only hire state-licensed contractors. Posted materials also remind anyone who wants to contract in a state- or federally-declared disaster area that they could be charged with a felony violation if they are not licensed by CSLB. ■



Above: CSLB Enforcement staff assist communities affected by natural disasters.

Left: CSLB Enforcement staff post signs to warn unlicensed operators who prey on disaster victims.

Public Works Projects Require Contractor Licenses

When bids are submitted to an awarding agency for a public works project, the prime contractor is required to list all subcontractors who will be working with them. In addition to ensuring their subs possess valid licenses, the prime should obtain up-to-date addresses and phone numbers.

According to a recent Attorney General’s Office opinion, CSLB is authorized to take action against prime contractors who hire subcontractors with suspended, inactive, or expired licenses. Subcontractors will be treated as unlicensed, and the prime will be cited for violation of Business and Professions (B&P) Code section 7118. ■

Sting Properties Needed

CSLB’s proactive enforcement efforts include sting operations of suspected unlicensed operators throughout the state. If you know of a home, rental or commercial property that the Statewide Investigative Fraud Team (SWIFT) can use for one of these operations, please contact the SWIFT office in your region.

Northern SWIFT

9821 Business Park Drive, Sacramento, CA 95827
Phone 916.255.2924 | Fax 916.369.7265

Central SWIFT

1277 E. Alluvial Ave., Fresno, CA 93720
Phone 559.490.0581 | Fax 559.447.1492

Southern SWIFT

12501 East Imperial Highway, Suite 610, Norwalk, CA 90650
Phone 562.345.7600 | Fax 562.466.6065

Don't Dig Yourself into a Hole

Excavating without a permit from one of the Underground Service Alert regional notification centers can result in hefty fines, potentially deadly safety hazards, and risk of losing of your contractor license.

Anytime you plan to disturb a ground surface—whether by digging, drilling, boring, etc.—you must call 8-1-1 and coordinate with either the Northern or Southern California Regional Notification Center at least two working days (but not more than 14 calendar days) before beginning your excavation project.

The center will issue you an inquiry identification (ticket) number, which is valid for 28 days. Every contractor excavating at a job site must have his or her own ticket number for the excavation work he or she is performing. **Sharing of a ticket between contractors on a single job is not allowed.** And an excavation permit is not valid without the identification number.

The biggest safety hazards are the possibility of an explosion from hitting a gas line

or electrocution from an electrical line. Unfortunately, these mishaps are happening several times each day.

Remember: Unauthorized digging can damage underground utilities (including gas or power lines), telephone cables, and/or fiber optic cables, and disrupt services to the community that result in costly repairs. If you fail to register, your excavation will be considered unauthorized digging and you may be subject to a fine of up to \$50,000 (Government Code sections 4216-4216.9), held responsible for any repair costs, and face disciplinary action against your contractor license.

Information about permit exemptions and other state laws is available on the regional notification center websites. The Northern and Southern California Notification Center websites both offer an online procedure to start a single-site excavation approval process.

Underground Service Alert of Northern California (www.usanorth.org, 800.227.2600) serves northern and central California



counties, and all of Nevada, Monday through Friday, 6 a.m. to 7 p.m., excluding holidays. Underground Service Alert of Southern California (www.digalert.org, 800.227.2600) serves Southern California counties Monday through Friday, 6 a.m. to 7 p.m., excluding holidays. ■

Energy-Efficiency Classes Sharpen Contractor Skills

Trade-specific energy efficiency classes geared to solar, heating/cooling, lighting and even landscaping specialists are being offered around the state to teach contractors how to comply with California's unique Title 24 requirements.

Classes are co-sponsored by utility companies that include Southern California Edison, Southern California Gas Company, San Diego Gas & Electric, Pacific Gas and Electric Company, and Sacramento Municipal Utility District. Classes specifically for C-20 Warm-Air Heating, Ventilation and Air-Conditioning contractors and related professionals are being co-sponsored by the Institute of Heating and Air Conditioning Industries, Inc., and continuing education credits are available.

Private or municipal utilities in your area may offer classes as well; check those websites for more information.

For class information/signups at the following utilities, go to:

PG&E: <http://www.pge.com/mybusiness/edusafety/training/pec/classes/index.jsp>

SoCalGas: https://seminars.socalgas.com/iebms/coe/coe_p1_all.aspx?cc=coe&oc=01

SMUD: <https://usage.smud.org/ETCstudent/ClassList.aspx>

SDG&E: https://seminars.sdge.com/iebms/coe/coe_p1_all.aspx?cc=COE&oc=05

SCE: https://www.sce.com/wps/portal/home/business/consulting-services/energy-education-centers!/ut/p/b0/04_Sj9CPykssy0xPLMnMz0vMAfGjzOINLdwdPTyDDTz9TVxMDDydQnyc3Cx8jU3MDPQLsh0VAa1-CK8!/

IHACI: <http://www.ihaci.org/> under the training link. ■



CSLB Tentative Board Meeting Schedule

Following is a tentative list of 2013-14 Board meetings:

September 17
Sacramento

December 10
Norwalk

Late February-Early March
Bay Area

April 23-24
San Diego

June 5
Orange County



C-2, "B" Contractors Take Note

Building Air Leakage Test Procedure Clarification

The California Energy Commission has released a clarification letter regarding the building air leakage testing procedure for the 2008 Building Energy Efficiency Standards.

On January 1, 2014, contractors will no longer be allowed to use the visual inspection method (checklist) and will be required to perform the field diagnostic test method (blower door test) to verify building leakage. This requirement will apply to CF-6R-ENV-20-HERS forms that are registered with an approved Home Energy Rating System (HERS) provider data registry after December 31, 2013.

Contractors are required to verify the building air leakage when envelope sealing is modeled for compliance credit for newly constructed residential buildings. This compliance credit is a HERS measure, meaning the building leakage also must be verified by a third party HERS rater.

Currently, contractors—usually C-2 Insulation and Acoustical or "B" General Building classifications—can use either the checklist method or the blower door test to verify building leakage. The blower door test must be performed in accordance with the ASTM E779-03 testing method. Contractors document their verification results by registering the CF-6R-ENV-20-HERS form with an approved HERS provider data registry. HERS raters document their verification results by registering the CF-4R-ENV-20 form in the same registry.

For information, contact Christopher Olvera at the California Energy Commission, 916.651.1469 or chris.olvera@energy.ca.gov. The clarification letter may be viewed on the Energy Commission's website at: www.energy.ca.gov/title24/2008standards/supporting_docs.html. ■

Consumers Happier with CSLB Complaint-Handling

Consumer satisfaction increased in seven of eight questionnaire categories for those who took part in CSLB's 2012 Consumer Satisfaction Survey. The annual survey measures performance related to complaints that were closed during the year against licensed contractors and unlicensed operators.

Consumers who provided an active email address were invited to complete the survey. CSLB received 862 responses, about 17 percent of those who received the online survey.

CSLB has gained in approval ratings in nearly all categories during the past five

years, and was rated highest last year – 84 percent – for courtesy, two percentage points higher than in 2011. Higher marks also were given for promptly contacting individuals after they had filed a complaint, explaining the complaint process clearly, keeping complainants informed during the process, understanding the investigation outcome, agreeing that appropriate action was taken, and, overall, being satisfied with customer service. The question that asked whether the complaint was processed in a timely manner dropped one percentage point in 2012.

The survey's final question asked if respondents had checked their contractor's

license status with CSLB. While 38 percent said they had checked the contractor's license status, 56 percent said they had not, and five percent gave no response.

The characteristics of those who filled out a survey in 2012 followed the trend of previous years: the vast majority of complaints were filed by non-industry consumers (97 percent); most involved a licensed contractor (81 percent); most were processed within six months (78 percent); most addressed home improvement or remodeling (76 percent); and most complaints were not construction type-specific (62 percent). ■

DISCIPLINARY ACTIONS *May 2012–May 2013*

Business & Professions Code Sections

490 Relationship of conviction of a crime to licensed activity	7106 Investigation of expired or suspended license	7117 Acting as a contractor out of name style
7018.5 Failing to provide notice to owner regarding lien provisions	7107 Abandonment of a project without legal excuse	7117.5 Contracting with inactive license
7026.7 Advertising as a contractor without a license	7108 Diverted funds or property received for a specific job to other purposes	7118 Contracting with unlicensed person
7028 Acting in the capacity of a contractor without license	7109 Willful disregard of plans and specifications, or failing to complete the job in a good and workmanlike manner	7119 Failing to prosecute a job with diligence
7029 Contracting as a joint venture without the required license	7109.5 Violation of safety laws resulting in death or serious injury	7120 Failing to pay for materials or services
7029.5 Failing, as a plumbing, electrical sign or well drilling contractor, to display identification on business vehicles	7110 Willful disregard and violation of building laws	7121 Prohibition against associating with suspended or revoked license
7030 Failing to include in a contract the notice that contractors are licensed by the Contractors State License Board	7110.1 Violating Section 206.5 of the Labor Code	7122 Participation of license in violating 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	7111 Failing to keep records and to make them available to a representative of the Registrar	7122.5 Responsibility of Qualifying Person for acts committed by his/her principal
7071.11 Judgment or admitted claim against bond	7111.1 Refusing to or failing to cooperate with deputy in investigation	7123 Conviction of a felony in connection with construction activities
7083 Failing to report a change of address, name style, or personnel within 90 days	7112 Misrepresentation of a material fact on an application	7124 A plea of nolo contendere is considered a conviction
7085.6 Failing to comply with an arbitration award	7113 Failing to complete a project for the price stated in the contract	7154 Employment of unregistered home improvement salesman
7090.1 Failing to comply with civil penalty or "order to correct" in Registrar's citation	7113.5 Avoiding or settling for less than lawful obligations as a contractor through the various bankruptcy proceedings	7155 Participation in violation by a home improvement salesman
7097 Suspension of additional licenses	7114 Aiding and abetting an unlicensed person	7157 Model Home kickback prohibition
7098 Revocation of additional licenses	7115 Failing to comply with the Contractors State License Law	7159 Failing to comply with contract requirements
7099.6 Non-compliance with a final citation	7116 Committing a willful or fraudulent act as a contractor	7161(b) False advertising

Labor Code Section

3700.5 Lack of workers' compensation insurance

License Revocations

NAME	CITY	LIC. #	DATE	SECTIONS VIOLATED	NAME	CITY	LIC. #	DATE	SECTIONS VIOLATED
@BSOLUTE FENCING	SIMI VALLEY	909991	09/21/2012	7090.1	ALPINE CUSTOM POOLS INC	RANCHO CUCAMONGA	711711	07/19/2012	7085.6
A & I CONSTRUCTION SERVICES	TURLOCK	773738	03/04/2013	7090.1	ALPINE ROOF CO INCORPORATED	YUCCA VALLEY	761151	05/06/2013	7085.6
A & I CONSTRUCTION SERVICES INC	HILMAR	951022	03/04/2013	7090.1	AMBIANCE SURFACE APPLICATIONS	BURBANK	903935	03/27/2013	7085.6
A & R INSTALLATION TILE	BLOOMINGTON	905018	02/07/2013	7090.1	AMBIANCE DESIGNS	VACAVILLO	905285	03/29/2013	7107.3, 7109.A, 7110, 7113, 7159(C4, C5, C6, D2, D3, DBA, D8B, D8C, D9A, D9B, D9C, D10A)
A-1 ALL-AMERICAN ROOFING CO	ARCADIA	899115	02/07/2013	7090.1	AMERI - CAL INDUSTRIES INC	WINCHESTER	794811	04/09/2013	7107, 7109.A, 7108.5, 7113, 7159(C4, C5, C6, D3, D10C, D11B, E4, E5, E6B, 5A4, 5A6), 7125.4, 7154
A-1 HEATING & AIR CONDITIONING	LOMPOC	880998	05/02/2012	490, 7123	AMERICAN BUILDERS INC	SAN PEDRO	823104	05/11/2012	7107, 7109.A
A A A CONSTRUCTION	SAN CARLOS	913701	10/25/2012	7090.1	AMERICAN GARAGE DOOR SERVICE	CARMICHAEL	898954	05/01/2013	490, 7123
A B H CONSTRUCTION	DANVILLE	655737	09/12/2012	7090.1	AMERICAN PAVING STONE INC	LOS ANGELES	851881	09/21/2012	7090.1
A BETTER BUILDER INC	CITRUS HEIGHTS	809820	02/06/2013	7114, 7116	ANDERSON/WHITE DBA: THOMAS CONSTRUCTION	NEWPORT BEACH	763078	03/18/2013	7090.1
A C HEATING AND AIR CONDITIONING	RIVERSIDE	661546	06/28/2012	7090.1	APODACA BROS CONCRETE	ALAMEDA	752184	04/23/2013	7090.1
A C M - AMERICAN CONSTRUCTION MANAGEMENT INC	SAN PEDRO	901860	04/15/2013	7085.6	AQUA POOL & SPA	RIPON	532325	10/25/2012	7107, 7109.A, 7113, 7120, 7159.5A5
A GREAT TIME TO PAINT	COARSEGOLD	432943	08/02/2012	7090.1	AQUA POOL & SPA INC DBA: AQUA POOL & SPA	RIPON	799793	10/25/2012	7107, 7109.A, 7113, 7120, 7159.5A5
A M G DEVELOPMENT CORP DBA: A M G BUILDERS	LOS ANGELES	871900	06/05/2012	7085.6	ARC N' SPARK ELECTRIC	PALMDALE	633844	06/28/2012	7090.1
A T K ENTERPRISE INC	VALENCIA	750720	11/16/2012	7090.1	ARIZIAZ TILE	GROVER BEACH	829173	03/01/2013	7090.1
A TO ROH CONSTRUCTION DBA: IN & OUT PLASTERING A CA CORP	TEMECULA	817206	02/05/2013	7090.1	ARMAS, DAVID	UPLAND	75390 AA	02/11/2013	7123, 490
A V CONCRETE	MERCED	876876	03/04/2013	7123, 490	ARMSTRONG BUILDERS	HERCULES	827228	11/05/2012	7090.1
A-BETTER CONSTRUCTION	CITRUS HEIGHTS	350559	02/06/2013	7114, 7116	ASHER CONSTRUCTION	CANOGA PARK	525420	06/19/2012	7090.1
AAA ADVANTAGE REMODELING & DEVELOPMENT GROUP CORP	HUNTINGTON BEACH	781519	08/23/2012	7107, 7109.A, 7113	ASHER CONSTRUCTION & DEVELOPMENT CORP	CAMPBELL	905800	07/03/2012	7108, 7109.A, 7113, 7116, 7117.5
ABBA CONSTRUCTION CORP	SAN JOSE	903571	07/03/2012	7108, 7109.A, 7113, 7116, 7117.5	ASHERI, MOSHE	ENCINO	72340 AA	08/14/2012	7116, 7155, 7161
ABILITY ACCESS CONSTRUCTION	MANTECA	863512	01/10/2013	7123	ASTON CONSTRUCTION	ANAHEIM	941082	02/05/2013	7090.1
ABITECH	LINCOLN	872117	10/25/2012	7090.1	ATLAS INTERIORS	FALLBROOK	796247	02/25/2013	7107, 7109(A, B), 7110.A, 7113, 7115, 7120, 7154, 7159(A5, C5, C6, D10B, D10C, D11A, D11B)
ABSOLUTE PLASTERING	HAYWARD	830708	09/21/2012	7090.1	AYALA PAUL	BAKERSFIELD	917023	02/05/2013	7090.1
ACCURATE CONTRACTING	LAGUNA NIGUEL	834288	02/05/2013	7090.1	B AND B BUILDERS	MAGALIA	918289	10/30/2012	7085.6
ACKERMANN CONSTRUCTION & REMODELING	COSTA MESA	911228	10/22/2012	7085.6	B C S HOMES INC	CAMERON PARK	702829	06/27/2012	7109(A, B), 7111.1
ACRC INCORPORATED	DANVILLE	669264	09/12/2012	7090.1	B H I SERVICES COMPANY	UPLAND	641530	01/09/2013	7090.1
ACTION DEVELOPMENT & REMODELING GROUP INC	WESTMINSTER	851426	08/23/2012	7107, 7109.A, 7113	B K L CONSTRUCTION	OXNARD	828927	04/22/2013	7090.1
ACTION TREE SERVICE	SAN DIEGO	923023	08/27/2012	7028.5, 7117.5B	BAER HEATING AND AIR CONDITIONING INC	SANTEE	892082	07/27/2012	7090.1
ACTION WINDOW & DOOR	TEMECULA	871607	05/02/2012	7090.1	BAIAN CONSTRUCTION AND DESIGN	ROWLAND HEIGHTS	940541	06/26/2012	7068.1, 7107, 7109.A, 7125.4, 7113, 7159(C4, D9A, D10A)
ADAIR ROOF RESTORATION_INC DBA: A H I CONSTRUCTION	FRESNO	762016	05/04/2012	7108.5, 7109.A, 7114, 7117.5B	BAKER PAINTING	WOODBIDGE	868493	06/27/2012	7123
ADAMS HARDSCAPING	REDDING	915562	08/13/2012	7123	BARNETT BUILDERS INC	WILDOMAR	831912	08/09/2012	7085.6
ADAMS JASON SCOTT	HEMET	932993	08/08/2012	7123, 490	BARR NONE PAINTERS.NET	SAN BERNARDINO	347406	08/09/2012	7085.6
ADIN LEWIS INC DBA: P V KITCHENS	ROLLING HILLS ESTATES	875689	08/22/2012	7107, 7108, 7113, 7116, 7117.A, 7120, 7159(CA, C4, C6, D1, D8A, D8B, D8C, D9A, D9B, D9C, D10A, D)	BARRETT L M CO	COSTA MESA	745184	06/01/2012	7090.1
ADVANCED ENGINEERING CONSTRUCTION & TECHNOLOGY INC	CHINO	959412	03/27/2013	7085.6	BARRINGTON DESIGN	CULVER CITY	792453	11/05/2012	7090.1
ADVANCED EQUIPMENT AND CONSTRUCTION	BIG BEAR LAKE	909592	05/02/2012	7090.1	BARRY'S PLUMBING	NEWARK	863998	05/02/2012	7107, 7111.1, 7113, 7120, 7125.4A, 7159(SA1, SA3, SA5)
ADVANCED ROOFING SOLUTIONS	LOS ANGELES	811902	07/27/2012	7090.1	BAY AREA HOME EXTERIORS INC	DUBLIN	930286	07/30/2012	7107, 7116, 7154, 7115, 7159.5A5
AIR SERVICES & CONTROLS	RANCHO CORDOVA	690752	09/12/2012	7090.1	BAY AREA HOME IMPROVEMENTS	HAYWARD	883238	07/30/2012	7107, 7116, 7154, 7115, 7159.5A5
AIR TECHNOLOGY	ORANGEVALE	725102	03/01/2013	7090.1	BECKMAN CONSTRUCTION & ROOFING	FRESNO	238356	03/01/2013	7090.1
ALAN GEORGE CONSTRUCTION INCORPORATED DBA: JUST WINDOWS AND DOORS	FRESNO	632446	04/23/2013	7090.1	BELASCO R	LOS BANOS	747486	12/12/2012	7090.1
ALDANA LEAL	SANTA ANA	918441	11/16/2012	7090.1	BELLA PRESIDIO GROUP INC	ESCONDIDO	810196	05/07/2012	7120, 7159(CA3, SA5, D8C, D9B, E1B, E) 7107, 7113, 7108.5, 7109(A, B), 7110
ALDANA LEAL	SANTA ANA	918441	11/19/2012	7090.1	BELLE MAISON INC	SANTA MONICA	892127	05/07/2012	7109(A, B), 7107, 7113
ALL AMERICAN GENERAL ENGINEERING	ONTARIO	925667	07/09/2012	7107, 7111.1, 7113, 7114, 7117(B, G), 7028, 7058, 7154, 7159(SA5, C1, C2, C3BII, C4, C5, C6, D2, D3, D4, D8A, D8C, D)	BENNUM AYAL	WOODLAND HILLS	638423	07/05/2012	7090.1
ALL COMMUNICATION SYSTEMS	CHICO	865493	05/09/2012	7123	BENSON	SACRAMENTO	494880	05/04/2012	7116, 7117.5, 7120, 7161(B, C), 7115
ALL PHASES MASONRY	OLIVEHURST	892508	04/29/2013	7117(B5B, 6, A), 7114, 7125.4, 7159.5A3, 7118	BENTLEY ROOFING	SONORA	810924	10/23/2012	7090.1
ALL PURPOSE FIRE PROTECTION	SAN JOSE	842341	01/07/2013	7123, 490	BERGGREN JAMES CONSTRUCTION	VISTA	823828	09/05/2012	7085.6
ALLEN L AND W CONSTRUCTION	GILROY	927156	02/05/2013	7107, 7109.A, 7110, 7113	BERNIER GROUP THE	MIRA LOMA	945965	07/27/2012	7085.6
ALLEN LON CONSTRUCTION	GILROY	877435	02/05/2013	7107, 7108.A, 7110, 7113	BERRY ROBERT D	GLENDALE	640685	12/28/2012	7115, 7109.A, 7113
ALLWAYS PAINTING	EL CAJON	907728	05/21/2012	7123, 490	BERUMEN CONSTRUCTION	SYLMAR	682854	08/02/2012	7090.1
ALPHA GENERAL CONTRACTOR	ONTARIO	931440	07/09/2012	7107, 7111.1, 7113, 7114, 7117(B, G), 7028, 7058, 7154, 7159(SA5, C1, C2, C3BII, C4, C5, C6, D2, D3, D4, D8A, D8C, D)					



License Revocations

Table with columns: NAME, CITY, LIC.#, DATE, SECTIONS VIOLATED. Contains multiple rows of contractor license revocation records.



License Revocations

Table with columns: NAME, CITY, LIC.#, DATE, SECTIONS VIOLATED. Contains multiple rows of contractor license revocation data.



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Your Industry Knowledge is Valuable to You, Your Trade *and* CSLB

Licensed contractors are one of CSLB's best resources when it comes to making sure license examinations are current and relevant for each of its 43 classifications and two certifications. Serving as Subject Matter Experts (SMEs), licensees contribute to CSLB's examination development process through a series of workshops at the Sacramento headquarters office.

SMEs and CSLB Testing division staff identify critical job activities in a given trade and practical knowledge that licensees must have to perform competently. Once that information is collected, Testing staff mails or emails an occupational analysis questionnaire to a large sample of contractors in that classification. Contractors are asked to rate how often they perform various trade activities and the importance of different types of trade knowledge (e.g., building codes, estimating, interpreting blueprints, etc.). The questionnaire data helps determine the scope of the trade examination. Activities

that are performed more frequently, and knowledge that is rated more important, receive more weight on the examination.

Once an examination plan, or blueprint of how to build an examination, is established, Testing staff and SMEs review and revise existing examination questions. They also write and review new questions based on the latest accepted trade practices. Finally, SMEs attend a three-day workshop to determine the passing score for the new bank of questions.

By law, contractor license examinations must be kept current to reflect changing industry technology and techniques. CSLB performs a new occupational analysis every five years for each of its license examinations. This yields about nine updated examination question banks each year. The entire examination development process takes close to a year of diligent work.

Licensees interested in participating as a SME must be the qualifier for the license



Licensed contractors serve as Subject Matter Experts during CSLB examination development workshop.

and the license must be in good standing. Reimbursement is provided for approved travel expenses, plus SMEs are paid \$150 per day. CSLB maintains a database of SMEs for each license classification. Qualified licensees who wish to be entered into the SME database should contact CSLB's Testing division through the SME recruitment line: 916.255.3221. ■