
Construction Claims Task Force

Initial Recommendations Selected for Further Review

Overview:

House Bill 2078 created a task force to study the relationship between construction liability claims and construction industry practices, construction defects, consumer protection, and state-mandated liability insurance requirements for contractors. To date, the task force has received over 200 written submissions via the public Web site and heard oral testimony from homeowners, industry stakeholders, and experts from across the U.S. and Canada.

House Bill 2078 further charged the task force and the participating state agencies with making recommendations to address the fundamental issues related to construction claims. At the February 15th CCTF meeting, the task force selected 17 recommendations for further review from a list of over fifty recommendations received to date.

Results – Feb. 15, 2006 Prioritization Exercise:

- 2-A Develop minimum, building-envelope design standards including use of a drainage cavity
- 2-D Involve building-envelope specialists in development process from design through occupancy
- 3-A Develop “best practices” and installation guidelines consistent with code and manufacturers’ instructions
- 3-D Increase oversight on the job-site by architect, engineer, building envelope specialist, or other certified supervisor to review construction practices
- 4-A Provide training related to building-science and water-intrusion issues to designers, contractors, inspectors, and property managers
- 5-A Explore rainscreen technology as a construction approach.
- 5-B Require additional mechanical venting of moisture from interior spaces (e.g., bathrooms and kitchens)
- 5-C Require moisture content not exceed a defined level before closing the cavity
- 6-B Provide consumer education to owners and homeowner association boards regarding maintenance plan and maintenance issues
- 7-A Increase bond amount or institute a stratified bond amount based on work volume
- 7-B Require performance bonds when a contractor has a history of claims
- 8-A Create a specialized license for building-envelope contractors (e.g. roofing, siding, windows, etc.) to include required training, experience, and/or demonstration of competency
- 8-D Increase CCB’s enforcement powers including terminating a contractor’s license if they have a history of problems
- 8-F Prevent problem contractors from obtaining a license under a new corporate identity
- 9-D Require the contractor doing the work to take out the permit (as opposed to the homeowner)
- 10-H Prosecute the most egregious contractors in criminal court
- 12-C Establish a recovery fund