



# CONSTRUCTION CONTRACTORS BULLETIN BOARD

HELPING TO PREVENT AND RESOLVE PROBLEMS IN THE CONSTRUCTION INDUSTRY

April 2007

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## Task Force Works to Beef Up Contractor Regulations

The Task Force on Construction Claims (TFCC) delivered recommendations to the 2007 legislature which resulted in proposals that strengthen contractor regulations designed to reduce construction defects.

Highlights of the final recommendations include:

- Establish new building envelope (such as siding, windows, roofing, etc.) contractor certification requirements.
- Changing building code requirements to prevent moisture intrusion;
- Strengthening the state Construction Contractors Board's enforcement to address defective construction;
- Establishing a limited consumer assistance fund to provide relief to consumers;

- Streamlining rate filing requirements for contractor group general liability insurance policies; and
- Encouraging construction insurance carriers to provide discounts for contractors who adopt the task force's recommendations and who perform other best practices.

The TFCC, created by the 2005 Legislature, was composed of nine members who represent the public, the insurance and construction industries, and the Oregon Department of Energy. The task force held 16 work sessions to study issues relating to home construction defects and construction insurance.

The bills introduced on behalf of the task force include:

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## CCB Proposes Legislation

The Oregon Construction Contractors Board (CCB) submitted 15 pre-session bills for consideration by the legislature this session. Most are designed to improve CCB enforcement efforts, provide increased accountability of licensees, and strengthen protections for Oregon consumers.

HB 2113 is one of the most important bills proposed by the CCB. It would

correct an inequity in the Oregon lien law that has been eroding consumer confidence in the construction industry.

The current lien law is unfair because it puts consumers at risk to pay twice for the same goods or services. HB 2113 will address the pay twice problem by barring liens if consumers

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# Crime Targets Oregon Construction Businesses

By Lieutenant Bill Kohlmeyer, Salem Police Dept.

The Salem Police Department and Marion County Sheriff Office are investigating numerous related forgeries and identity thefts involving a group of Hispanic suspects traveling through Oregon. In September and October 2006, these suspects were involved in burglaries of construction related businesses in Aumsville, Klamath Falls, Oregon City, Salem, and Stayton. In each of these incidents payroll check stock was stolen from the company, forged and negotiated at the account holders' banks. In some instances, the burglaries went unnoticed until the checks were processed and identified as forgeries.

Some of the businesses reported being approached a few days prior to the forgeries by a pair of Hispanic males

who inquired about employment. These subjects were seen leaving in a gold colored vehicle, similar to a Ford Expedition, with Oklahoma license plates.

In November 2006, this group victimized a business in the Eugene area and forged stolen payroll checks. They have also been seen in Morro Bay and San Luis Obispo, California in December 2006.

As recently as January 19, 2007, this group returned to the Salem area and cashed stolen checks from two similar local businesses.

We want to heighten business owners' awareness of the need to secure their payroll check stock, especially at locations which may not have alarm systems. It appears these suspects spend considerable time at the locations to research and find examples of the check issuers' signature and employee addresses. The suspects present counterfeit California and Idaho

identification cards when cashing the checks.

The aliases used on the forged checks include Pablo Sandoval, Manuel Laguna R, Manuel Larana Vela, Ruben Ortega, and Lester Morales Oliva. These appear to be fictitious names, or names of identity theft victims.

At this time the losses are in excess of \$100,000.

If anyone sees these suspects, they are asked to call 911. Anyone with information regarding this group is asked to call Salem Police Detective Michael Korcek at 503-588-6050 ext. 7159.

The Oregon Construction Contractors Board has posted the CrimeDex Alert on the website, [www.oregon.gov/CCB](http://www.oregon.gov/CCB) under *Current Topics*. Included are photos of these suspects and a counterfeit California Driver License that was recovered in San Luis Obispo.

## Construction Contractors Bulletin Board, Issue #68

This newsletter, an official publication of the Oregon Construction Contractors Board, gives Oregon contractors information on laws, policies and activities of the CCB and better business practices.

CCB mission:

*The CCB protects the public's interest relating to improvements to real property. The Board regulates construction contractors and promotes a competitive business environment through education, contractor licensing, dispute resolution and law enforcement.*

Board members:

\*Tom Skaar, Portland  
 \*\*Walt Gamble, West Linn  
 Chuck Crump, Salem  
 Richard DeWolf, Portland  
 Cliff Harkins, Canby  
 Dennis Schad, Coos Bay  
 Mary Stern, McMinnville  
 Sandy Trainor, Sherwood  
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In compliance with the Americans with Disabilities Act, this publication is available in alternative formats by contacting the editor.

## CCB Spring Home Show Calendar

The Construction Contractors Board (CCB) has a booth at most of the home building, improvement and remodeling shows throughout Oregon. We offer information and publications to contractors as well as consumers.

Following is a list of events the CCB will attend this spring. If you have questions or need a form or information, please stop by the booth.

**April 20-22, 2007** Southwestern Oregon Home Show - Coos Bay, Oregon

**April 20-22, 2007** Northwest Home Show - Oregon Convention Center, Portland, Oregon

**May 4-6, 2007** Central Oregon Home Builders Spring Home and Garden Show - Redmond, Oregon

**May 11-13, 2007** Josephine County Spring Home Show - Grants Pass, Oregon

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|-----|-----|-----|-----|-----|-----|-----|
|     |     |     |     | 1   | 2   |     |
| 3   | 4   | 5   | 6   | 7   | 8   | 9   |
| 10  | 11  | 12  | 13  | 14  | 15  | 16  |
| 17  | 18  | 19  | 20  |     |     |     |
| 24  | 25  | 26  | 27  |     |     |     |
| 31  |     |     |     |     |     |     |

*Task Force ...Continued from page 1*

**HB 2654: Insurance – Completed Operations:** Requires construction contractor to maintain insurance that provides contractor with liability coverage for completed work.

**HB 2655: Warranty:** Requires general contractor constructing new residential dwelling unit to provide purchaser with warranty of unit workmanship and materials.

**HB 2656: Building Envelope Specialist and Building Envelope Installers:** Establishes certification system for building envelope specialists and building envelope installers. Makes working as building envelope specialist or building envelope installer without appropriate certification subject to civil penalty not to exceed \$5,000. Makes unauthorized or fraudulent use of certification number subject to criminal penalty of up to one year's imprisonment, \$6,250 fine, or both. Prohibits occupancy or use of constructed, reconstructed, altered or repaired structure without certificate of occupancy. Imposes conditions for issuance of certificate of occupancy. Prohibits construction contractor from undertaking, offering to undertake or bidding on building envelope work unless contractor is or employs certified building envelope specialist and certified building envelope installer. Requires Construction Contractors Board to adopt continuing education standards for persons licensed or certified by board. Declares emergency, effective on passage.

**HB 2657: Written Contracts:** Requires contractor undertaking residential construction or improvement work on residential structure to provide property owner with written contract. Establishes period within which property owner may cancel contract. Requires contractor to provide certain notices to residential property owner before property owner signs contract. Requires notices to include signature lines for contractor and property owner. Prohibits contractor that fails to use written contract for work on residential property from claiming lien for labor or materials. Allows Director of

Department of Consumer and Business Services to adopt rules establishing requirements for residential building permits.

**HB 2658: Construction Defect Limited Assistance Fund (Recovery Fund):** Establishes Oregon Construction Defect Limited Assistance Fund. Provides for capped payouts from fund for unpaid judgments, arbitration awards or Construction Contractors Board final orders arising out of residential dwelling construction defects. Provides for board to administer fund. Continuously appropriates fund moneys to board. Allows annual assessment on residential construction contractors, not to exceed \$40, to replenish fund. Provides for moneys from civil penalties assessed by board to be deposited to fund.

**HB 2659: Financial/Criminal History and Shoddy Construction:** Allows Construction Contractors Board

to investigate financial and criminal history of applicant for licensing. Requires licensee to report certain financial and criminal activity for owners, officers, managers and others. Expands grounds for pre-hearing action against board licensees. Creates crime of performing shoddy construction work. Makes offense punishable by maximum of 30 days' imprisonment, \$1,250 fine or both if involving work for which contract is not more than \$20,000 in value. Makes offense punishable by maximum of six months' imprisonment, \$2,500 fine or both if involving work for which contract is worth more than \$20,000 and not more than \$100,000 in value. Makes offense punishable by maximum of one year's imprisonment, \$6,250 fine or both if involving work for which contract is worth more than \$100,000 in value. Allows authorized agent for board to issue criminal citation for offense of performing shoddy construction work.

## Legislative Dictionary



**Amendment:** An alteration made or proposed to be made to a measure. Measures may be amended more than once.

**Bill:** A measure that creates a new law, amends or repeals an existing law, appropriates money, prescribes fees or takes other action.

**Do Pass:** The recommendation by a committee for passage, abbreviated as DP. DPA means "do pass with amendments".

**Drop:** Refers to submitting a committee report to the appropriate desk.

**Effective Date:** ORS 171.022 reads that except as otherwise provided in an Act, an Act of the Legislative Assembly takes effect January 1 of the year after the passage of the Act.

**Emergency Clause:** A statement added to the end of a measure which causes the act to become effective before the *Effective Date*.

**Engrossed Bill:** A measure that is printed with its amendments included. It will have "A" (or B, or C, etc) Engrossed at the top which signals that the bill has changed from its original form.

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## Web-based IRS Tax Help for Small Businesses

The Internal Revenue Service offers a variety of web-based information, including seminars, on its website. Go to [irs.gov/business](http://irs.gov/business) and type in the title, from the list below, under “search” in the right top corner of the page. Topics include the following subjects of interest to contractors:

### Everything You Always Wanted to Know about the Construction Industry

IRS.gov’s Industries/Professions Web site has an abundance of information for a number of industries and professions. For instance, the recently updated Construction page contains

explanations of federal tax topics related to the construction industry.

**2007 Small Business Resource Guide CD-ROM** Order your free copy of the 2007 Small Business Resource Guide CD-ROM. The Small Business Resource Guide, CD-ROM provides critical tax information to small businesses including forms, instructions, and publications.

**New Electronic Newsletter for Small Business IRS** introduces e-News for Small Businesses. Subscribe to this electronic newsletter and get information about important upcoming tax dates, what’s new on the IRS Web Site, forms and publications, tips to help small businesses, and IRS News Releases and special announcements.

**View & Listen to Recording of “Making Taxes Easier for Small Business” Webinar:**

If you missed the webinar for Small Business owners you can still get all the information by accessing a recording

**April 19, 2007, Free Webinar on Employee vs. Independent Contractor Issues Under the new Oregon Revised Statutes and Existing Federal Law, 9:00 to 10:00 a.m. Pacific Time.**

To register, send e-mail to [StakeholderEducation@irs.gov](mailto:StakeholderEducation@irs.gov) with “Employee vs. Independent Contractor” in the subject line. Include your name, organization, agency or company name and phone number. You will be sent an e-mail confirming your registration, including the toll-free conference dial-in number and the participant access code for both the phone and web portions of the seminar.

### CCB by the Numbers

**October – December 2006**

#### Licensing:

Number of Licensed Contractors: **44,960**  
 Number of new applications: **1,305**  
 Number of renewals: **3,199**  
 Number of active certified Home Inspectors: **354**

#### Dispute Resolution:

Number of complaints filed: **585**  
 Number of investigations: **214**  
 Number of settlements on-site: **120**  
 Number of final orders issued: **164**

#### Enforcement:

Complaints of illegal activity: **1,123**  
 Jobsite inspections: **235**  
 Investigations opened: **803**  
 Warnings issued: **67**  
 Number of licenses suspended: **151**

#### Education:

Number of candidates tested: **1,019**  
 Number of candidates that passed on first attempt: **888**

#### Customer Service:

Incoming telephone calls: **22,878**

## CCB ramping up enforcement of illegal contractor activity

The Construction Contractors Board (CCB) is using a new strategy to find those who are working illegally.

Over the past 12 months, the CCB has conducted a number of week long “sweeps” which saturate targeted areas with compliance officers to check jobsites for illegal activities.

CCB compliance officers have conducted sweeps in eastern Oregon, the southern Oregon coast, Medford/Grants Pass/Klamath Falls area and Central Oregon. Joint sweeps have included those from employment, workers’ compensation, building codes and revenue.

Early in 2006, the CCB changed the

agency’s strategy to find more effective ways to enforce the laws that regulate the construction work and be a deterrent to illegal activity.

“Illegal activity doesn’t just hurt the consumer,” says Rich Blank, Enforcement Manager. “It hurts the contractors who work hard to stay in compliance only to be undercut by those who don’t.”

“More of these are definitely planned,” says Blank. “And just like before, when and where will be a surprise.”

Efforts have also been stepped up in the Portland and Salem metro areas with site checks happening at any given time on any day of the week.

## CCB Legislation...Continued from page 1

can prove payment in full has been made to their contractors.

HB 2113 maintains current lien rights for subcontractors and material suppliers unless consumers have paid their contractor. All other lien rights would remain intact. The intent is to place the burden of unpaid labor and materials squarely on the backs of the unscrupulous businesses that cause problems by failing to pay their bills.

“It’s time to move forward,” said Board Chair Tom Skaar “It’s not only wrong to place consumers at risk to pay twice for the same work, it’s bad for business”.

Pay twice laws enable some suppliers to provide materials to undercapitalized contractors who remain in the business just long enough to put all who work with them at risk. Unpaid debts drive up material and labor costs for legitimate construction businesses — driving up prices and driving down consumers’ appetite for home improvements.

This bill would help correct an inequity in the lien law and improve consumer confidence in the home improvement industry. While opposed by some, this bill would benefit Oregonians and improve the market place by holding poor contractors accountable for their poor business practices.

Passage of the bill could eliminate the need for contractors to provide consumers with the *Information Notice to Owners About Construction Liens*, thereby streamlining laws and reducing paperwork contractors are required to provide their customers. The CCB believes this is a fair and just bill that deserves industry support.

Other CCB bills include the following:

HB 2107: Deals with court judgments and arbitration awards against contractors.

HB 2108: Helps address problems associated with bankruptcy by requiring disclosure.

HB 2109: Reorganizes ORS 701.055 by dividing an existing statute into smaller statutes.

HB 2110: Helps enforce delivery of consumer protection notices

HB 2111: Strengthens CCB Responsible Managing Individual (RMI) requirements.

HB 2112: Requires contractors to notify the CCB in the event of a loss of insurance coverage.

HB 2120: Helps enforce delivery of consumer lien notices

SB 90: Increases bond amount required of persons applying for or renewing a contractor license.

SB 91: Requires contractors to notify CCB of changes in ownership of the business entity.

SB 92: Allows the CCB to set minimum standards for written contracts involving residential construction projects.

SB 93: Disqualifies construction contractors, owners and officers from obtaining new contractor license for one year following revocation of license. Specifies that mandatory license revocation for habitual violator of workers’ compensation laws is permanent revocation.

SB 94: Revises term “claim” to “complaint” pertaining to Construction Contractors Board dispute resolution.

SB 95: Establishes fee for initial home inspector certificate. Changes certificate term to two years.

SB 96: Increases the competency testing fees charged to applicants for home inspector certification.

SB 97: Requires contractors to maintain a signed copy of the *Consumer Notice*.

## Legislative Dictionary ...Continued



**Enrolled Bill:** The final copy of the bill which has passed both houses of Legislature and has been specially reprinted for the signatures of President of the Senate and Speaker of the House. After these confirmatory signatures, the enrolled bill goes to the Governor for approval or rejection..

**Measure:** A written document used by the Legislative Assembly to propose a law. A measure may be a bill, a memorial or a resolution.

**Readings:** The recitation of the measure’s number, title and sponsor.

The First reading occurs when the measure is referred to a committee by the House Speaker or the Senate President.

The Second reading occurs after the measure has been referred to a committee, worked on and reported back to the floor of the chamber where it was originated for a vote.

The Third reading occurs on the floor by either chamber usually before the final vote.

## Civil Penalties Issued October 1, 2006 – December 31, 2006

The Oregon Construction Contractors Board (CCB) recently announced final orders assessing civil penalties issued to Oregon contractors for violation of the Construction Contractors Law (ORS 701). Oregon law requires all construction contractors to be licensed with the CCB before they advertise, bid on or perform construction, remodeling or repair work.

The CCB issued 86 penalties from October 1, 2006 to December 31, 2006. The most common type of violation was operating as a contractor while not licensed. Contractors receiving penalties include:

\* Currently licensed status as of January 22, 2007

| Contractor                               | Doing Business                      | City Where Violation Occurred | Penalty Amount | Violation  | Currently Licensed? (CL) |
|--|-------------------------------------|-------------------------------|----------------|--|--------------------------|
| <b>Central Oregon</b>                    |                                     |                               |                |  |                          |
| Braatz Properties, Inc.                  |                                     | Bend                          | \$1,000        | Operated as a contractor while not licensed          | CL                       |
| Fred Eichler Construction LLC            |                                     | Bend                          | \$1,000        | Hired an unlicensed subcontractor                    | CL                       |
| Free, Jeremy                             |                                     | Bend                          | \$1,000        | Operated as a contractor while not licensed          |                          |
| Maynard, Robert Craig                    | Robert Maynard Paint & Construction | Sunriver                      | \$5,000        | Operated as a contractor while not licensed          |                          |
| Needham, Bill                            |                                     | Bend                          | \$1,000        | Operated as a contractor while not licensed          |                          |
| Sessions, Cliff Eugene                   |                                     | Redmond                       | \$12,000       | Operated as a contractor while not licensed          |                          |
| Taylor, Timothy                          |                                     | Bend                          | \$1,000        | Had employees while licensed as an exempt contractor | CL                       |
| TJU Construction                         |                                     | Bend                          | \$1,000        | Hired an unlicensed subcontractor                    | CL                       |
| Western Homes, Inc.                      |                                     | Bend                          | \$5,000        | Operated as a contractor while not licensed          |                          |
| <b>Central Willamette Valley</b>         |                                     |                               |                |  |                          |
| Agate Northwest Construction, Inc.       |                                     | Keizer                        | \$1,000        | Operated as a contractor while not licensed          |                          |
| Bickford, Calvin Arlin II                |                                     | Hubbard                       | \$5,000        | Operated as a contractor while not licensed          |                          |
| Chernishoff, Peter                       |                                     | Woodburn                      | \$1,000        | Had employees while licensed as an exempt contractor | CL                       |
| Craig, Scott William                     |                                     | Woodburn                      | \$700          | Advertised as a contractor while not licensed        |                          |
| Doremire, Robert Alan                    |                                     | Salem                         | \$5,000        | Operated as a contractor while not licensed          |                          |
| Fisher, Craig                            |                                     | Salem                         | \$5,000        | Operated as a contractor while not licensed          |                          |
| Huffaker, Craig Lyle                     | Huffaker Company                    | Salem                         | \$1,000        | Operated as a contractor while not licensed          |                          |
| Larsen, Ken                              | Doctor Tint                         | Salem                         | \$600          | Advertised as a contractor while not licensed        |                          |
| Loboda, Vladimir Vladimirovich           |                                     | Salem                         | \$5,000        | Operated as a contractor while not licensed          |                          |
| Pitts, Robert                            |                                     | Albany                        | \$5,000        | Operated as a contractor while not licensed          |                          |
| Sump, David                              |                                     | McMinnville                   | \$5,000        | Operated as a contractor while not licensed          |                          |
| Szymanski, Gary                          | Gary Szymanski Painting             | Stayton                       | \$5,000        | Operated as a contractor while not licensed          |                          |
| The Teuscher LLC                         |                                     | Salem & Jefferson             | \$128,300      | Operated as a contractor while not licensed          | CL                       |
| <b>Coastal Oregon</b>                    |                                     |                               |                |  |                          |
| Brandel, Steven                          |                                     | Newport                       | \$1,000        | Operated as a contractor while not licensed          |                          |
| Brandel, Steven                          |                                     | Waldport                      | \$5,000        | Operated as a contractor while not licensed          |                          |
| Craig Sellers, Inc.                      |                                     | Lincoln City                  | \$1,000        | Operated as a contractor while not licensed          |                          |
| Perkins, David                           |                                     | Waldport                      | \$5,000        | Operated as a contractor while not licensed          |                          |
| Sanchez, Joseph                          |                                     | Lincoln City                  | \$5,000        | Operated as a contractor while not licensed          |                          |
| <b>Eastern Oregon</b>                    |                                     |                               |                |  |                          |
| Butzien, Paul Benson                     | PB Butzien Woodworking              | Joseph                        | \$1,000        | Operated as a contractor while not licensed          |                          |
| Butzien, Paul Benson                     | PB Butzien Woodworking              | Wallowa                       | \$1,000        | Operated as a contractor while not licensed          |                          |
| Commercial Mechanical Insulation LLC     |                                     | Ontario                       | \$1,000        | Operated as a contractor while not licensed          |                          |
| Creamer Heating & Air Conditioning, Inc. |                                     | Ontario                       | \$1,000        | Hired an unlicensed subcontractor                    | CL                       |
| Full Comfort Insulation LLC              |                                     | Joseph                        | \$1,000        | Operated as a contractor while not licensed          | CL                       |
| Massey, Donald Roy                       | Don Massey Crane Services           | La Grande                     | \$1,000        | Operated as a contractor while not licensed          |                          |
| <b>Eugene/Lane County Area</b>           |                                     |                               |                |  |                          |
| Campos-Marquez, Edilberto                |                                     | Springfield                   | \$1,000        | Operated as a contractor while not licensed          |                          |
| Ferguson, Edwin                          |                                     | Eugene                        | \$700          | Advertised as a contractor while not licensed        |                          |
| Ferguson, Edwin "Mitch"                  |                                     | Eugene                        | \$700          | Advertised as a contractor while not licensed        |                          |

| Contractor                                | Doing Business                     | City Where Violation Occurred | Penalty Amount | Violation  | Currently Licensed? (CL) |
|---|------------------------------------|-------------------------------|----------------|--|--------------------------|
| Service Unlimited LLC                     |                                    | Junction City                 | \$1,000        | Operated as a contractor while not licensed          |                          |
| Vetkos, Rickey Sam                        |                                    | Eugene                        | \$5,000        | Operated as a contractor while not licensed          |                          |
| Waters, Joel M.                           |                                    | Eugene                        | \$1,000        | Operated as a contractor while not licensed          |                          |
| <b>Northern Oregon</b>                    |                                    |                               |                |  |                          |
| Boone, James                              |                                    | Molalla                       | \$5,000        | Operated as a contractor while not licensed          |                          |
| Conkling, Lester Earl                     |                                    | Canby                         | \$15,000       | Operated as a contractor while not licensed          |                          |
| Hanson, Cornell Tyrone                    |                                    | Warren                        | \$5,000        | Operated as a contractor while not licensed          |                          |
| Olson, Dale Gordon                        |                                    | Condon                        | \$1,000        | Operated as a contractor while not licensed          |                          |
| <b>Portland Metropolitan Area</b>         |                                    |                               |                |  |                          |
| About Homes Ltd.                          |                                    | Portland                      | \$600          | Advised as a contractor while not licensed           | CL                       |
| Adlin Construction, Inc.                  |                                    | Clackamas                     | \$1,000        | Hired an unlicensed subcontractor                    | CL                       |
| All Aspects Floor Covering & Design, Inc. |                                    | Portland                      | \$5,000        | Operated as a contractor while not licensed          |                          |
| Ashlock, Daniel John                      |                                    |                               | \$1,000        | Operated as a contractor while not licensed          |                          |
| Cortes, Carlos                            |                                    | Beaverton                     | \$700          | Advised as a contractor while not licensed           |                          |
| Foric, Elvedin                            |                                    | Portland                      | \$5,000        | Operated as a contractor while not licensed          |                          |
| Goddard, William Barrett                  |                                    | Aloha                         | \$5,000        | Operated as a contractor while not licensed          |                          |
| Hoselitz, David                           |                                    | Portland                      | \$1,000        | Operated as a contractor while not licensed          | CL                       |
| Landa, Alfredo Vazquez                    |                                    | Portland                      | \$1,000        | Operated as a contractor while not licensed          |                          |
| Lee, Jung Soo                             |                                    | Portland                      | \$1,000        | Had employees while licensed as an exempt contractor | CL                       |
| McGee, Mark David                         | Mark McGee Construction            | Portland                      | \$1,000        | Operated as a contractor while not licensed          | CL                       |
| Mid Valley, Inc.                          |                                    | Gladstone                     | \$5,000        | Operated as a contractor while not licensed          |                          |
| Nardone Builders, Inc.                    |                                    | Portland                      | \$1,000        | Operated as a contractor while not licensed          |                          |
| Neldon, William                           |                                    | Oregon City                   | \$5,000        | Operated as a contractor while not licensed          |                          |
| Office Trends, Inc.                       | Montel NW                          |                               | \$600          | Operated as a contractor while not licensed          | CL                       |
| Ortiz, Pablo                              |                                    | Portland                      | \$1,000        | Had employees while licensed as an exempt contractor | CL                       |
| Pulotu, Milemoti                          |                                    | Portland                      | \$5,000        | Operated as a contractor while not licensed          |                          |
| R & H Construction Co.                    |                                    | Portland                      | \$1,000        | Hired an unlicensed subcontractor                    | CL                       |
| Razzaghy, Araz                            |                                    | Beaverton                     | \$5,000        | Operated as a contractor while not licensed          |                          |
| Risk, Victor                              |                                    | Portland                      | \$5,000        | Operated as a contractor while not licensed          |                          |
| Robson, Carey Richard                     |                                    | Portland                      | \$1,000        | Operated as a contractor while not licensed          |                          |
| Roush, Troy                               |                                    | Gresham                       | \$5,000        | Operated as a contractor while not licensed          |                          |
| Sutton, Daniel                            |                                    | Portland                      | \$600          | Advised as a contractor while not licensed           |                          |
| Taukolo, Motekiai                         | Innovative Concrete & Construction | Portland                      | \$1,000        | Had employees while licensed as an exempt contractor | CL                       |
| Teery LLC                                 |                                    | Boring                        | \$5,000        | Operated as a contractor while not licensed          | CL                       |
| Van, Tung Son                             |                                    | Tualatin                      | \$600          | Advised as a contractor while not licensed           |                          |
| Wentworth, Daniel J.                      |                                    | Portland                      | \$5,000        | Operated as a contractor while not licensed          |                          |
| <b>Southern Oregon</b>                    |                                    |                               |                |  |                          |
| Barker, Greg                              |                                    | Grants Pass                   | \$5,000        | Operated as a contractor while not licensed          |                          |
| Carey, Robert Miles                       |                                    | Medford                       | \$1,000        | Operated as a contractor while not licensed          |                          |
| Contreras, Nathaniel V.                   |                                    | Grants Pass                   | \$1,000        | Operated as a contractor while not licensed          |                          |
| Contreras, Nathaniel V.                   |                                    | Merlin                        | \$1,000        | Operated as a contractor while not licensed          |                          |
| Davis, Michael Wayne                      |                                    | Grants Pass                   | \$1,000        | Operated as a contractor while not licensed          |                          |
| Fleener, Tom Clayton                      |                                    | Medford                       | \$1,000        | Hired an unlicensed subcontractor                    | CL                       |
| Johnson, Mike T.                          |                                    | Klamath Falls                 | \$15,000       | Operated as a contractor while not licensed          |                          |
| Lebengood, Tom                            |                                    | Myrtle Creek                  | \$700          | Offered a bid as a contractor while not licensed     | CL                       |
| Lee, Walt Richard                         | Table Rock Concrete                | Medford                       | \$1,000        | Had employees while licensed as an exempt contractor |                          |
| Schmerber, Tom                            |                                    | Klamath Falls                 | \$1,000        | Dishonest or fraudulent conduct                      |                          |
| Schmerber, Tom                            |                                    | Midland                       | \$1,000        | Dishonest or fraudulent conduct                      |                          |
| Schmerber, Tom                            |                                    | Klamath Falls                 | \$5,000        | Operated as a contractor while not licensed          |                          |
| Schmerber, Tom                            |                                    | Klamath Falls                 | \$5,000        | Operated as a contractor while not licensed          |                          |
| Schmerber, Tom                            |                                    | Klamath Falls                 | \$5,000        | Operated as a contractor while not licensed          |                          |
| Thornton, Leonard A.                      |                                    | Central Point                 | \$1,000        | Dishonest or fraudulent conduct                      |                          |
| Toby, James E.                            |                                    | Talent                        | \$1,000        | Operated as a contractor while not licensed          |                          |

Oregon Construction Contractors Board  
PO Box 14140  
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Salem, OR 97309-5052

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## Consumer Protection Notice

The CCB is revising the required *Consumer Notification* form. Now called the *Consumer Protection Notice*, it contains much of the same information as its predecessor, but in an easier-to-read format.

Construction contractors bidding on residential construction work are required by law to provide property owners the notice developed by the CCB. It must be provided at time of bid or proposal.

Though not required, there is a signature line for the customer so the contractor has the ability to prove the form was given.

The *Consumer Protection Notice* can be downloaded from the CCB website at [www.oregon.gov/CCB](http://www.oregon.gov/CCB) or call 503-378-4621.

## What's the buzz? "Claims" are now "Complaints"



For years the Construction Contractors Board (CCB) Claims section processed claims.

Over the last few months you may have noticed a change in terminology. The CCB now has the Dispute Resolution Services (DRS) section. Instead of accepting *claims*, the DRS accepts and processes *breach of contract complaints*.

The CCB's jurisdiction and processing of complaints remains the same. The name change helps clarify the services provided.

Most people who hear the word "claim" make an unconscious connection with a process similar to the insurance industry, where a person who has a problem files a claim. The insurance company reviews the claim and within a relatively short time either sends a check paying the claim or denies it.

The processing of a CCB complaint is an alternative to the court system to resolve breach of contract disputes. As with the court system, a person must

prove he or she suffered monetary damages before damages can be awarded. And like the courts, we issue an order for the amount of damages, not checks.

In addition to the changes above, we refer to file numbers instead of claim numbers. We refer to the person who files a complaint as the complainant rather than the claimant.

If you have any questions or concerns, contact the CCB at 503-378-4621.